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PUBLIC HEARING

April 17, 2025

SC Public Utilities Review Commission

REPORTER: Donna Currey

1		STATE REGULATION
2		OF PUBLIC UTILITIES
3		REVIEW COMMITTEE
4		* * * *
5		
6	BEFORE:	
7	SENATOR '	THOMAS C. ALEXANDER, CHAIRMAN
8	REPRESEN'	TATIVE WILLIAM G. HERBKERSMAN, VICE CHAIRMAN
9	T. GRAHAI	M EDWARDS (VIA TEAMS)
10	REPRESEN'	TATIVE GIL GATCH
11	SENATOR (C. BRADLEY HUTTO
12	FLOYD NI	CHOLSON
13	SENATOR :	LUKE A. RANKIN, SR.
14	REPRESEN'	TATIVE J. TODD RUTHERFORD
15	JOHN BRE	EDEN, COMMITTEE COUNSEL
16	BRYAN TR	IPLETT, COMMITTEE COUNSEL
17		* * * *
18		
19	DATE:	Thursday, April 17, 2025
20	TIME:	9:00 a.m.
21	LOCATION:	Gressette Building, Room 105
22		1101 Pendleton Street
23		Columbia, South Carolina 29201
24		
25	REPOR'	TED BY: Donna Currey, Court Reporter

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22	Court Reporter s Legend:
23	dashes [] Intentional or purposeful interruption
24	[ph] Denotes phonetically written
25	[sic] Written as said

PROCEEDINGS

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CHAIRMAN ALEXANDER: Good morning. We ll call this meeting to order on this Thursday, April 17, at 9:10 in the morning. We're here for the purpose of screening candidates for the Executive Director of the Office of Regulatory Staff as well as the Public Service Commission candidates for the Second, Fourth and Sixth Congressional District. However, before we get started, it's a pleasure for me to have the opportunity to welcome new review committee members that are here with us today, Chairman Bill Herbkersman, welcome. Delighted to have you, and of course, your abled staff and Bryan that are consistent there, but also we'll have other new members in their absence, I'd like to go ahead and recognize them. Representative Gil Gatch and also Representative Todd Rutherford, we appreciate your service and we look forward to serving with you in this capacity.

It's been our custom, I would entertain a motion for us to go into executive session to discuss potential employment pursuant to Section 30-4-70-A1, and for the receipt of legal advice, pursuit to Section 30-4-70-A2. I have a motion by the Chairman Senator Rankin, second by the Chairman Representative Herbkersman. All those in favor of the motion, please say aye.

1	GROUP: Aye.
2	CHAIRMAN ALEXANDER: Opposed, no.
3	MR. EDWARDS: Aye.
4	CHAIRMAN ALEXANDER: We have Mr. Edwards that has
5	joined as a member of that is with us virtually this
6	morning. Welcome.
7	MR. EDWARDS: Thank you, Chairman. Appreciate it.
8	CHAIRMAN ALEXANDER: We'll go into executive
9	session.
10	[EXECUTIVE SESSION FROM 9:12-9:31]
11	CHAIRMAN ALEXANDER: We re now back in open session
12	on the record. For the record, there was no action taken,
13	no votes taken, during the executive session. If I could
14	start by making a few remarks as we begin the screening
15	process. The review committee has conducted thorough
16	background investigations of each candidate, including
17	credit, law enforcement and driver s license checks.
18	We re here today to further question the candidates and
19	give them the opportunity to make any statement with
20	respect to their qualifications and their desire to serve.
21	The review committee requests that substantive information
22	during the screening not be shared until after the final
23	candidate has been screened. The candidates are
24	sequestered prior to their screening in order to ensure
25	fairness during the process. However, the purpose of this

1	sequestration is defeated if the candidates are contacted
2	or able to read online about earlier candidate screenings
3	or what the questions are being asked. A transcript of
4	these proceedings will be posted online. At this time, I
5	would also note that it has been the review committee s
6	practice to meet with all candidates in executive session
7	to discuss potential employment pursuant to Section 30-4-
8	70 and/or matters of a personal nature, which the public
9	disclosure would constitute a reasonable invasion of
10	privacy, which are exempt from the public disclosure
11	pursuant to Section 30-4-40-A2. Therefore, I would
12	entertain a motion that we adopt that procedure for our
13	purposes today and agree to go into executive session with
14	each candidate.
15	CHAIRMAN HUTTO: So moved.
16	MR. NICHOLSON: Second.
17	THE CHAIRMAN: We have a motion and a second that
18	with each candidate we will go into executive session.
19	Any discussion on that motion? Hearing no discussion, all
20	in favor, please say aye.
21	GROUP: Aye.
22	MR. EDWARDS: Aye.
23	THE CHAIRMAN: Opposed, no.
24	THE CHAIRMAN: Ayes have it and with Mr. Edwards.
25	Thank you.

EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF:

2 ANDREW BATEMAN:

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Therefore, that takes us now, CHAIRMAN ALEXANDER: if there s no other business, to our first item on our agenda today. And this is for the office of Regulatory Staff, Executive Director. We have before us today one candidate for this position of Executive Director for the Office of Regulatory Staff, and that is Mr. Andrew This position became vacant in November of 2023, following the resignation of Ms. Nanette Edwards. Bateman has served as acting executive director in the interim. The review committee issued media releases statewide and contacted all members of the General Assembly to advertise the executive director position. Applications were accepted through April 7th, and Mr. Bateman was the sole applicant. Pursuant to Section 58-3-531B, the rules -- the review committee has the duty to nominate no more than one qualified candidate for the governor to consider in appointing to the Executive Director of the Office of Regulatory Staff. In order to be nominated, a candidate must be found qualified by meeting the minimum requirements as provided in Section 58-4-30. The requirements include the executive director must be an attorney qualified to practice in all South Carolina courts and possess a minimum of eight years

1	practice experience. Further, the review committee must
2	also give to consideration to a candidate whose experience
3	and expertise in the matters related to the public
4	utilities. The review committee does not hire the
5	executive director. It s role is to nominate a qualified
6	candidate for consideration of appointment by the
7	governor. The current term of this position expires on
8	June 30, 2028.
9	With that context, I would now like to, unless there
10	are questions of the committee, I would now like to
11	welcome Mr. Andrew Bateman to come forward to the podium.
12	Make sure the mic is on, please, sir. Good morning.
13	MR. BATEMAN: Yes, sir. Good morning.
14	THE CHAIRMAN: Good morning. If you ll raise your
15	right hand. Do you swear to tell the truth, the whole
16	truth and nothing but the truth so help you God?
17	MR. BATEMAN: Yes, sir, I do.
18	ANDREW M. BATEMAN, having been first duly sworn, was
19	examined and testified as follows:
20	THE CHAIRMAN: We have thoroughly again, we have
21	thoroughly investigated your qualifications to serve as
22	Executive Director of the Office of Regulatory Staff, our
23	inquiry has focused on your qualifications. You re
24	welcome at this point to give a brief opening statement.
25	MR. BATEMAN: Thank you. Good morning. My name s

1	Andrew Bateman, the acting Executive Director of the South
2	Carolina Office of Regulatory Staff. I believe I know all
3	of you. I hope you re doing well. I appreciate the
4	opportunity to be here before you. I do have a very brief
5	opening statement. As President Alexander mentioned a
6	second ago, I ve been in this role since November of 2023.
7	I ve been at ORS since June of 2014. I know the agency.
8	I know the mission. I know the people, and I know the
9	challenges. I promise if I m given the opportunity to be
10	the Executive Director of ORS that I will carry out the
11	mission the General Assembly gives it, that the agency
12	will carry out the mission that the General Assembly gives
13	it. And I think you can look back to the track record
14	over the past 18 months. It s not been an inconsequential
15	18 months. We ve had multiple major rate cases. We ve
16	had a devastating hurricane. We ve had the agency is
17	in the process of moving. And that s just some of the
18	challenges that we ve faced, and frankly, we ve overcome.
19	I think we ve weathered those storms, literally and
20	figuratively, fairly well. So I appreciate the
21	opportunity to be here before you. I m happy to answer
22	any questions that you have.
23	THE CHAIRMAN: Okay. So Staff Breeden and Mr.
24	John will go over some questions with you.
25	MR. BATEMAN: Yes, sir.

- 1 | EXAMINATION BY MR. JOHN:
- 2 Q. Good morning, Mr. Bateman.
- 3 A. Good morning.
- Q. Please state your full name and current address for the record.
- 6 A. Andrew McClendon Bateman, [REDACTED].
- Q. You have there before you your personal data questionnaire that you submitted.
- 9 A. Yes, sir.
- 10 Q. Do you need to make any modifications or edits at this
- 11 time?
- 12 | A. No.
- Q. Do you have any objections to this document being made part of the record?
- 15 A. I do not. Thank you.
- Q. Thank you. If you ll hand it to Ms. Putnam. That will now become part of the record.
- 18 (EXHIBIT NO. 1 WAS MARKED FOR IDENTIFICATION PURPOSES
- 19 (7 pages) PDQ BATEMAN)
- 20 MR. JOHN: By way of background, Mr. Bateman earned
- 21 | a Bachelor s of Arts degree in biology from Clemson
- 22 | University in 2009 and a Juris Doctorate from the
- 23 | University of South Carolina Law in 2013. He s been
- 24 | licensed to practice before the Supreme Court of South
- 25 | Carolina since November of 2013. As he mentioned, he has

- 1 | served as the acting Executive Director of the Office
- 2 of Regulatory Staff since November of 2023, when the
- 3 position became vacant. Prior to that, he has worked
- 4 | in several roles at ORS since 2014. He started as a
- 5 | staff attorney, then in 2018 deputy general -- deputy
- 6 chief counsel, general counsel from 2019 to 2021, and
- 7 | a deputy executive director from 2022 to 2023. Mr.
- 8 | Bateman is a member of the South Carolina Bar
- 9 Association and has served as diaconic. Is that how
- 10 | you pronounce it?
- 11 | A. Diaconic. Yes, sir.
- 12 MR. JOHN: Diaconic. Thank you. Of Columbian
- 13 Presbyterian Church and has been a member of Cayce
- 14 | Presbyterian Church. The background check indicated no
- 15 | criminal record, and a review of his credit report
- 16 | indicated no negative information.
- 17 | Q. Mr. Bateman, how long have you been a resident of
- 18 | South Carolina?
- 19 | A. My entire life.
- 20 | Q. How long have you been a member of the South Carolina
- 21 | Bar?
- 22 | A. Since 2013.
- 23 | Q. Are you currently in good standing?
- 24 | A. Yes, sir.
- 25 | Q. Have you been an active member and in good standing

- with the South Carolina Bar Association?
- 2 A. Yes, sir.
- 3 Q. Have you ever been disciplined or cited for a breach

of ethics or unprofessional conduct by any court,

- 5 agency, association or professional group?
- 6 A. No, sir.

- Q. Do you have any financial conflicts of interest that could result from your employment?
- 9 | A. No, sir.
- 10 | Q. What would you do if a conflict arises?
- 11 | A. Resolve the conflict.
- Q. Do you have any stocks or other direct financial interests which you control in any utility that is either within the jurisdiction of the South Carolina
- 15 Public Service Commission or within the ORS s purview?
- 16 | A. No, sir.
- 17 Q. Do you believe that any of your work experience,
- volunteer activities or affiliations with any
- organizations presents a potential conflict with the
- 20 role of executive director, if you were to be
- 21 appointed?
- 22 A. No, sir.
- 23 | Q. And what would you do if a conflict arises?
- 24 A. Again, I would resolve the conflict. Of course, it
- depends on the circumstances, but I d resolve the

1 conflict.

- Q. Have you made any contributions to any member of the General Assembly or to the Governor within the past four years?
- 5 | A. No, sir.
- 6 Q. Are you an official with a political party?
- 7 | A. No, sir.
- Q. Are you currently a lobbyist or do you engage in any lobbying activity?
- 10 | A. No, sir.

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- Q. Describe your experience in regulatory matters, please.
 - A. Sure. I ll try to briefly describe them. To the extent you have any questions, please jump in. As I mentioned, I ve been with ORS since mid-June of 2014, so I ve got fairly extensive experience with regulatory activities. I started out as an attorney, arguing cases before the Public Service Commission, taking depositions. Of course, when you start out, you start out with some of the more basic cases often times it s transportation cases, may move in to telecommunications cases. Fairly quickly, I moved into some more complicated cases. Electric cases, water waste -- water rate cases. So I ve argued those before the Public Service Commission. I ve argued

1 I ve been lead attorney on cases before the 2 Public Service Commission. I ve argued appellate 3 cases before the South Carolina Supreme Court. 4 written briefs before the South Carolina Supreme Court that I didn t argue. One particularly noteworthy one was in the appeal of the Duke Energy Carolinas rate 7 case from 2018. I wrote the brief. Wallace Lightsey 8 argued the appellate -- the case before the South 9 Carolina Supreme Court. We were successful, and so 10 that s something that -- that work is something that 11 I m proud of. But it s fairly extensive regulatory 12 experience, really running the gamut from very basic 13 at the Public Service Commissions, some of the more 14 basic cases all the way up to the higher -- highest 15 echelons of the state and arguing appellate matters 16 before the South Carolina Supreme Court.

- 17 Q. Thank you.
- 18 Yes, sir. Α.

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- Can you describe the obligations and responsibilities Q. of this position and in the same vein as acting executive director, can you describe kind of what an ordinary work day looks like for you to the extent that --
- So there s no ordinary work day. Α. Sure. Sure. day is different, which is exciting. So at the end of

the day, responsibilities and obligations I
understand that at the end of the day, I m held
accountable for the actions of the agency. So that
means that it s not necessarily that I m in every
weed, but I ve absolutely got a hand in every aspect
of the agency. So that leads in to what I do on any
given day. I ll describe a little bit about what I
did yesterday. There s a securitization perceiving
ongoing right now before the Public Service
Commission, so that s something we had a meeting
about. We discussed where we were. We discussed
discovery requests, responses to those, how we were
going to react to those, what next steps may be, and
we talked about the move. We re in the final stages
of the move, you know, when in order to even get
here, we had to go before JVRC. We certainly worked
with PURC. So I want to make sure that we re being
fully transparent and meeting expectations and
obligations regarding the move. So we hope to have
that final date, May 12th, but those are some of the
details that I m getting into. What else did we do
yesterday? 3309. This is some major legislation
that s gone through the House and the Senate. So we
had a meeting yesterday not to discuss necessarily
the long-term impacts of 3309, those will surely

come. But what we talked about yesterday was sort of
a triage approach. What are the first 30 days, if
3309 passes, would the first 30 days look like? The
first 60 days? The first 90 days? So we went
through some of the details regarding that. Federal
impacts. You know, President Trump as soon as he
took office on January 20th, there were some
executive orders that came out and those have
impacts, not necessarily to the regulatory side of
ORS, but we ve got three specifically nonregulatory
bodies. We ve got the Energy Office, the Digital
Opportunity Department and the Broadband Office. So
each of those bodies is going to be impacted in some
way, and often times different ways, by these
executive orders. So we re evaluating the impacts
of those and how to ensure that we re maintaining
the effectiveness of those programs going forward,
despite the fact that there s some level of
uncertainty. Let s see. I reviewed contracts
yesterday for both the Energy Office and the
Transportation Department. So let s move planning -
- oh, evaluating the BEAD position. This is another
thing that s going to be impacted by not necessarily
those executive orders that have come out, but the
fact that there s been a change in leadership at the

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NTIA. So it s going to impact how BEAD, which is the Broadband Equity Access and Deployment fund, is going to come to South Carolina and how we can push 4 those funds out to internet service providers. we re evaluating strategically how best to position the state so that we get the benefit of as many of those dollars as we can. That was yesterday. You know, last week I was -- I presented at a Palmetto Broadband Coalition Annual Convention up in Greenville. Next week, I m going to be presenting 11 at a South Carolina energy users convention down in Charleston. Every day every week is different. Ι 13 understand that at the end of the day, I m held 14 accountable for the agency s actions, so I do my best to delegate where I can, but with the knowledge that I need to be in the weeds enough to know that 17 to the extent y all have any questions for me and come to me, I m able to appropriately answer those 19 questions.

- And if you were appointed officially as executive Q. director, how would you see any of that changing, if at all?
- Yeah. So that s a good question. One thing that I Α. value is regulatory consistency to the greatest extent So Nanette Edwards the previous practicable.

Executive Director left in November of 2023. 1 2 Externally, I have made real intentional efforts not 3 to create great regulatory change from the time when 4 Nanette left to the time when I took over. The reason 5 I was fairly intentional about that is because I think 6 it s good for the regulatory process, and I think it s 7 good for utilities to know that there s not going to 8 be great waves. I have worked to institute some 9 internal relatively minor changes. One of those minor 10 changes being I really worked on the ability to 11 delegate certain responsibilities to folks and empower 12 them with the ability to carry out those 13 responsibilities. So externally, I wouldn t 14 I ve been at this for 18 anticipate great change. 15 months and to the extent I was given the opportunity to be executive director, I would not change course 16 17 from what I ve been doing for 18 months, absent 18 quidance from the General Assembly. Internally, I ve 19 already made those changes, and so I wouldn t 20 anticipate any additional great change. 21 All right. Thank you. 0. 22 Yes, sir. Α. 23 MR. JOHN: Mr. Chairman, I have a couple matters

related to potential employment and a couple questions of

personal or confidential nature. If you want to take us

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to executive session.

CHAIRMAN ALEXANDER: We re ready to go in as we ve said with each candidate, we ve adopted that motion. So under that previous adopted motion, we ll go into executive session.

[EXECUTIVE SESSION FROM 9:47 - 10:04]

CHAIRMAN ALEXANDER: We re back now in open session. There was no action taken nor votes taken during the executive session. We continue to have Mr. Andrew Bateman before us for consideration as the Executive Director of the Office of Regulatory Staff. Are there questions by members of the committee for Mr. Bateman? Senator from Horry? Senator Rankin.

SENATOR RANKIN: Thank you, Mr. President.
EXAMINATION BY SENATOR RANKIN:

Q. This is a question followed, perhaps, if I could articulate. I just want to compliment you on how you have handled this role thus far. I have been impressed with your unflappability with and resistance of being pulled into or not baited, but making policies and decisions that is our responsibility and your executing those decisions. Interim is not a four-letter word, but if anyone had to serve an interim role in any capacity of the state government, your walk would be a great example for how to do it,

- which is given nothing but more trustworthiness and respect from me, at least, and I think the majority of us, if not unanimously, in terms of how you are handling this. You mentioned 3309 as one of the what I did today at work --
- 6 | A. Yes, sir.

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- Q. -- touch points and the whole topic of energy that this committee has been about that our state is in dire need of improving and growing and creating a well-regulated and transparent process. You are at the fore of that, and so whether it be securitization, whether it be any of the from A to Z that you have dealt with and presented to us thus far, I just want to tell you, you and your staff particularly, current and former, how impressed I am with what y all have got going on over there. So I can thelp but believe that that s going to be a continuation, if not better. Did you know that?
- A. Well, I appreciate you saying that, Senator, and to your point, credit really goes to staff, current and former. But thank you for saying that.
- 22 CHAIRMAN ALEXANDER: Yes, sir. Senator from
- 23 Orangeburg, Senator Hutto.
- 24 | EXAMINATION BY SENATOR HUTTO:
- 25 | Q. Speaking of staff, do you believe that you have the

appropriate amount of staff assigned to you to carry
out the mission of the agency?

- A. Yes, sir, we do. Part of what we talked about yesterday in the 3309 meeting is the need to staff to get additional staff, should 3309 and the electric RSA portion pass. So today the answer is yes, but the day in which that passes we re going to post, and we ve already got those position descriptions ready and we re ready to move forward, to the extent that the 3309 does pass. So the day in which that passes, we re going to need to move quick. Today the answer is yes, but once that passes, if that passes, if we don t move quick it ll be challenging. But we ve got a plan in place to move quickly.
- 15 Q. And you have the budget in place that would --
- 16 | A. Yes.

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- 17 | Q. -- allow you to do that?
- 18 A. Yes, sir. Yes, sir.
- 19 EXAMINATION BY CHAIRMAN ALEXANDER:
- Q. So I ve got just a couple for you. And again,
 appreciate your willing to serve, and thank you for
 what you have done and your involvement there. Do you
 think -- are there areas that the office you would
 need further to delve into -- as I hear you, you know,
 you ve been interim. You ve got the folks in place.

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Are there -- and you mentioned earlier the change in landscape maybe with some of the programs. Are there other considerations briefly that might need to be addressed going forward, in light of some of those changes in Washington or that may impact the energy or the BEAD program or things of that nature?

Again, that s a good question. There s so much Α. uncertainty, it s hard to say for sure. I think for BEAD -- and each program s different. So we ve got the Digital Opportunity Department. Right now, the dollar amount that s allocated to the Digital Opportunity Department is significantly less than the dollar amounts allocated to both the energy office and the broadband office. The Digital Opportunity Department s under 13 million. I think it s 12.8 million that s been allocated to those folks. right now, the policies out of Washington have changed some of the programmatic focuses of the Digital Opportunity Department, but it s not necessarily changed that dollar amount allocated. So we ve shifted the programmatic focus and we re moving forward with the Digital Opportunity Department. the broadband office, as you re aware, ARPA, the American Rescue Plan Act funds about 400 million dollars, that was all fully allocated back in June of

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24. So we re still dealing with some of those funds,
but really those funds came to the state. Those funds
are being, and have been, implemented. So the future
of the broadband office is BEAD, the Broadband Equity
Access and Deployment fund. So that s the fund where
551 million was allocated to the state. Unlike ARPA,
those funds, despite the fact they ve been allocated,
don t come to the state. It s a reimbursement. It s
a draw down. So there s never 551 million in the bank
for the broadband office. So what that means is, it s
potentially subject to some shifts. Now where we sit
today, that 551 million has not shifted, but there are
always sorts of discussions of, well part of the 551
may be impacted in this way, part of it may be
impacted in that way. The reality of the situation is
that 551 is split into two buckets; one called the
deployment bucket and one called the nondeployment
bucket. Now, the deployment bucket is intended to
it s sole purpose is to bring down the unserved and
the underserved broadband serviceable locations in
South Carolina to zero. Frankly, because the
broadband office and localized fees have done a really
good job and that s the absolute truth. They ve done
a really good job. The number of DSLs that we ve got
in South Carolina that are unserved and underserved,

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at least projected, once all funds and projects are complete, is about 28,734. Now, that s down from 189,000 -- over 189,000 estimated just four years ago. I mean, it s really incredible work. And even that 28,700 and some change is an over estimation because ISPs, internet service providers, are continuing to bring DSLs into their territory and drop that number even lower. But the deployment dollars of the 551 million solely designated to bring that number, whatever it ends up being, down to zero. Now, there is a strong likelihood it s not going to cost 551 million dollars to bring that down to zero. So then that second bucket are nondeployment dollars. these nondeployment dollars is really a fair -there s a greater degree of flexibility with those nondeployment dollars than there are with the deployment dollars. And that, I think, is something that s potentially at risk of shifting. So we do evaluate, we ll look if that shifts, what are the potential policy shifts that may require us to be nimble and really react appropriately on how best to spend that for South Carolina. So there are -- there are further discussions. It s an ongoing discussion because there is so much uncertainty. The energy office is really a whole other bucket. They we got

137 million dollars, which was allocated to them and 1 2 conditionally approved, I think it was January 15th of 3 25, so conditionally approved a few months ago that 4 137 million is tied to programs, the HOMES and the 5 HEARs rebates. So those two programs are potentially 6 going to be impacted by some of the federal shifts. 7 So we re working with our federal partners. 8 evaluating how best to continue the effectiveness of 9 these programs in light of this era of uncertainty. 10 But it is an ongoing conversation that we re having. 11

- Just keep us informed. 0.
- 12 Α. Yes, sir. Absolutely.

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- And briefly, if you could, just how will you -- I 0. guess it s the same as what you ve been doing, but how will you stay abreast of regulatory issues at the state and national level as Executive Director?
- Α. Yes, sir. So we re involved in reviewing and attending NASUCA conferences, National Association of State Utility Consumer Advocates, and also NARUC conferences. We don t always attend the NARUC conferences, but we re at least plugged in to know the issues that are coming out of those conferences. those give us a really good feed on what s happening at the national level. At the state level, and you know I mentioned at the outset, we ve got the

relationships built in. I one of the things I did,
really as soon as I became the acting executive
director, is I set up quarterly meetings with a number
of different entities. I ve got quarterly meetings
with the IOUs in the state, the investor and
utilities, so that s Duke, Dominion and Lockhart,
Santee Cooper. I ve got quarterly meetings with co-
ops in the state. And I ve got quarterly meetings
with conservation-minded folks in the state. And the
point of these meetings is really a couple fold, but
the biggest driver was just to ensure that we have a
consistent line of communication. I want those folks
to know that when they re encountering issues, and
actually I said this to you, I believe, back in
October of 23, it s okay to disagree, but can
disagree without being disagreeable. And the way in
which we know when issues are arising is to have those
lines of communication open. So from a national
perspective, we participate in some national groups
that help, you know, keep our ear to the ground on
what s going on at a national level. From a state
perspective, we have, you know, significant
communication channels in an effort to gain what our
pitch points are. What s going on in the conservation
arena. What s going on in the IOU arena, the co-op

1	arena, industrials. I worked with I m going to
2	present at the South Carolina Energy Users Committee
3	next week. So we keep those lines of communication
4	open.
5	CHAIRMAN ALEXANDER: Any other questions? I would -
6	- certainly, if we have no other questions, I d then
7	retain a motion that the review committee find Mr. Andrew
8	M. Bateman qualified to serve as Executive Director and
9	nominate him for the Governor s consideration. I have a
10	motion by the senator from Horry, Senator Rankin.
11	VICE CHAIR HERBKERSMAN: Second.
12	CHAIRMAN ALEXANDER: Seconded by the Chairman of the
13	House Labor Commerce and Industry Committee, Chairman
14	Herbkersman. Further discussion on that motion? Ready to
15	take it to a vote? All those in favor of the nomination
16	of Mr. Bateman to serve as Executive Director of Office of
17	Regulatory Staff, please say aye.
18	GROUP: Aye.
19	CHAIRMAN ALEXANDER: Any opposed?
20	MR. EDWARDS: Aye.
21	CHAIRMAN ALEXANDER: An aye from Mr. Edwards.
22	Hearing none opposed, I declare that it s unanimous with
23	proxies. Thank you
24	MR. BATEMAN: Yes, sir. Thank you.
25	CHAIRMAN ALEXANDER: for your service and your

willingness to serve, and we look forward to great things.

And certainly I would be remiss if I did not say that this

committee continues to think of you and your family in the

passing -- recent passing of your father.

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MR. BATEMAN: Thank you. I appreciate that. And I ve had some really kind words from many of y all, and I appreciate that. Thank you.

PUBLIC SERVICE COMMISSION SEAT 2:

CHAIRMAN ALEXANDER: We ll continue now to go into the next part of our agenda for today, the Public Service Commission candidates. Members of the committee, we re now onto the screening of the candidates for the Public Service Commission. The screening process of the Public Service Commission candidates began on March 7, 2025, with the review committee announcing the opening of those. review committee received a total of six applications; two candidates have since withdrawn. One of the committee s duties is to screen candidates to determine whether they meet the statutory requirements set forth in South Carolina Code Section 58-3-20, which provides that candidates must have; one, Baccalaureate or more advanced degree; two, a background of substantial duration and an expertise in at least one of the following areas; energy, telecommunications, consumer protection and advocacy, water and wastewater, finance -- e) finance, economics and

statistics, f) accounting, g) engineering or, h) law. The		
review committee is also required to consider the ability,		
dedication, compassion, common sense and integrity of the		
candidates. And the race two, the race and gender of		
the candidates and other demographic factors to ensure		
nondiscrimination to the greatest extent possible of all		
segments of the population of the state. Background		
checks have been conducted and investigations on each		
candidate, including credit, law enforcement and driver s		
license checks. In accordance with preview screenings by		
the review committee, the candidates took a written		
examination to assist us in determining the level of		
knowledge that each candidate has with respect to		
substantive public utility issues, ethical constraints		
applicable to the commission and the operations of the		
commission. We are here today to further question the		
candidates and give them an opportunity to make an opening		
statement with respect to their qualifications and desire		
to serve as commissioner. The review committee plans to		
issue its report regarding this screening to the General		
Assembly next week. Candidates may not seek pledges until		
48 hours after the review committee has issued its		
official report. Candidates will be notified of the time		
that report is officially issued. Any comments from any		
of the members before we go to our first candidate?		

1	FLORENCE P. BELSER (COLUMBIA):
2	CHAIRMAN ALEXANDER: Hearing none, we have to call
3	our first public service commission candidate for the
4	Second Congressional District is Florence P. Belser. Good
5	morning.
6	MS. BELSER: Good morning. How are y all today?
7	CHAIRMAN ALEXANDER: Good. Good to see you.
8	MS. BELSER: It s good to be seen, sir.
9	CHAIRMAN ALEXANDER: Can you raise your right hand,
10	please? Do you swear to tell the truth, the whole truth
11	and nothing but the truth so help you God?
12	MS. BELSER: I do.
13	FLORENCE P. BELSER, having been first duly sworn, was
14	examined and testified as follows:
15	CHAIRMAN ALEXANDER: We have thoroughly investigated
16	your qualifications to serve on the Public Service
17	Commission. Our inquiry focuses on your qualifications as
18	set forth in the South Carolina Code Section 58-3-20 and
19	includes a thorough study of your application materials,
20	verification of your compliance with state ethics laws,
21	the study of any previous screenings by the review
22	committee, a check for economic conflicts of interest and
23	a written examination. The review committee has received
24	no formal complaints filed in opposition to your election.
25	Would you like to make an opening statement?

1	MS. BELSER: Thank you, Mr. President. Mr.
2	President, Chairman, Vice Chair Herbkersman, Chairman
3	Rankin and members of the PURC. It s a pleasure to appear
4	before you today. I started this journey a few years ago
5	and it s been a wonderful experience serving on the Public
6	Service Commission. I have been a state employee for a
7	number of years and have thoroughly enjoyed serving in
8	public service and serving the citizens of South Carolina.
9	When I went on the Public Service Commission, I must say
10	it is probably the highest honor that I ve had in my
11	lifetime, and I committed then that I would try to my
12	best to uphold the law, apply the cases the facts of
13	the cases to the law and render the most fair decision
14	that I can I could. And I hope that I have lived up to
15	that expectation of myself. But it is a wonderful job, a
16	wonderful experience and something that I have thoroughly
17	enjoyed and look forward to continuing, if it be your will
18	and, more importantly, God s will. Thank you.
19	CHAIRMAN ALEXANDER: Thank you, Ma am, Appreciate
20	your opening statement. Now, I ll recognize Mr. John to
21	go over some questions with you.
22	MS. BELSER: Thank you, sir.
23	EXAMINATION BY MR. JOHN:
24	Q. Good morning, Ms. Belser.
25	A. Good morning.

- 1 Q. Please state your full name and current address for
 2 the record.
 - A. Florence Plowden Belser, [REDACTED]
- Q. Thank you. You have before you your personal data questionnaire that you submitted with your application. Do you need to make any modifications or edits at this time?
- 8 A. I don t believe so, but I ll keep glancing over it, 9 sir.
- 10 Q. Do you have any objections to this document being made part of the record?
- 12 | A. No, sir.

- Q. If you ll hand that to Ms. Putnam. We will enter that into the record.
- 15 (EXHIBIT NO. 2 WAS MARKED FOR IDENTIFICATION PURPOSES

 (13 pages) PDQ BELSER)
- 17 I ll give a brief background on Ms. She earned a Bachelor s of Science degree in 18 19 biology from the College of Charleston in 1983. Obtained 20 her J.D. from University of South Carolina School of Law 21 in 1987. After law school, Ms. Belser was a substitute 22 teacher in Clarendon for one year before clerking for 23 Judge Mack Morris, working as an associate with John E. 24 Miles and then becoming an Assistant Solicitor for the 25 Third Judicial Circuit. In 1993, Ms. Belser began working

- 1 at the Public Service Commission where she served as Staff 2 Attorney and Deputy General Counsel until 2003 when she 3 was promoted to Executive Assistant for PSC. In 2004, she 4 went to work for the Office of Regulatory Staff where she 5 served as General Counsel for 15 years. Ms. Belser then 6 found herself back at the PSC in 2019 when she was elected 7 as the Commissioner for the Second Congressional District. 8 She served as Vice Chair for two years before serving as 9 Chair until June 2024. Ms. Belser is a member of the 10 National Association of Regulatory Utility Commissioners 11 (NARUC) where she serves as Co-Vice Chair of the 12 Electricity Committee and is a member of other NARUC 13 committees. She s also a member of SARUC, the 14 Southeastern Association of Regulatory Utility 15 Commissioners and the South Carolina Bar Association. She 16 is also a member of St. Mathias Anglican Church, the 17 American Legion Auxiliary. She is a trustee of the Clarendon Hall of Land Trust and a life member of the 18
- 20 Q. Is that an accurate summary of your background?

College of Charleston Alumni Association.

- 21 | A. Yes, sir.
- 22 Q. Good.

- 23 A. Thank you.
- Q. A background check of Ms. Belser indicated no criminal record and a review of her credit report indicated no

- negative information. Ms. Belser, are you a
 registered voter?
- 3 | A. Yes.

- 4 Q. In what congressional district are you registered?
- 5 A. Second Congressional District.
- Q. Can you describe an ordinary work day for you at the commission?
- 8 Well, since I live in Columbia I go to the Α. 9 office every day, unless I m on leave. I m typically 10 in that office by 8:00 and when I became chair, lunch 11 -- meetings with the executive director were very hard 12 to come by because she s pretty busy, so I quickly 13 So I m usually there from about stopped eating lunch. 14 8:00 until 6:00 or later. It s just the day goes 15 quickly with all the reading that we do and 16 discussions that we have, meetings with staff and So while there, we do discuss 17 other commissioners. 18 issues in cases that are coming up. But a lot of it 19 is self -- my preparation. I tend to prepare for a 20 hearing as if I was going to try the case. So it s 21 going through the testimony. We require prefile 22 testimony and exhibits, so it s going through the 23 prefile testimony, applications, and things like that. 24 But it s a full day. It s a lot of fun.
 - Q. Well, I was going to ask how you prepare for a

hearing. How about, how long does it take to prepare for a typical --

It depends --Α.

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- -- electric telecom, one of those cases? 0.
- Α. A lot of the -- well, a lot of the telecom cases, especially for certification, go before hearing examiners and so the hearing examiner will hear the case and then do a proposed order. So those are mainly reviewing the proposed order, making sure that the applicant has met the criteria set forth in the 11 statute. Other cases, it just depends on the complexity. We ve seen a number of citing cases, 13 particularly since the commission now has some limited 14 regulatory authority over Santee Cooper. And just with growth in the state, we re seeing those citing cases. It takes a while to get through those because 17 they re numerous studies. I mean, you ll have a stack -- the application will be, you know, two or three 19 inches thick, if not more, and getting through those. Rate cases, it s a lot more involved and a lot more discussions with staff, particularly on the financial 22 accounting, adjustments, accounting, parts of those 23 applications. I m not an accountant, and so I have to 24 ask a lot of our accountants and legal on the rate cases. But it s just a matter of delving into the

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applications and testimony, pick out what are the issues that are being raised, not everything is contested, and trying to research some of those through the testimony. I m very fortunate having worked in this area for a while. I can remember certain issues that may have occurred in other cases, and can look back at it as far as the legal research, as I recall some of those.

- Q. And you touched on this, but what type of contact do you generally have with commission staff, say outside of preparation for a hearing?
- We have briefings for our agenda meetings. Α. We call them weekly commission business meetings, where we make decisions. Because we re an executive branch agency, we re subject FOIA, and of course have to have a public meeting to make decisions. So we ll have briefings with the staff where they ll come in and brief us on those matters that are on the agenda for decision. And then there s some followup with that, if I have questions. A lot of times, if I m going to -- if I want to make a motion in a case, I tend to like to do them myself, and -- but I ll reach out to staff to review and maybe pick their brain on particulars to make sure that I ve got the details correct.

Q. Please explain the general rule regarding ex parte communications as it relates to a Public Service
Commission.

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- Well, the general rule -- well, the rule for the Public Service Commission is the same as for any I mean, you can t have communications about an issue that -- unless all parties to the proceeding have had notice and an opportunity to attend. gets a little confusing sometimes because somebody may choose, if everybody says yeah we ll meet on Monday at 2:00 and discuss -- have a discussion or procedure -excuse me, scheduling conflicts or discuss what s going to come up. If somebody chooses to not attend, that doesn t make it not ex parte -- I mean, doesn t make it an ex parte, because they we had the opportunity to be there. But be that as it may, the Public Service Commission is also prohibited from having communications about an issue that is likely to come before the commission, and that s a little tough sometimes to determine what might come before the commission in the future. So my rule is I don t talk -- I don t talk substantive with any individual about things that could come to the commission. It s iust not worth getting crossways on the ex parte rule.
- Q. Once again, you addressed my next question. I was

going to ask you if you were approached by someone
looking to discuss a matter that is or might come
before --

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- I quickly shut it down. If it -- if something comes up that sounds like it s going to touch on something that is either before or could before -- come before the commission, I shut it down. And if somebody were to persist, I would have to turn that person in as far as, you know, letting people know that this had happened. I would have to let parties, and if it s a pending proceeding, have to let parties know that somebody had approached me, had made statements about the case and whether or not I felt like it had impacted me to such a degree that I would be biased about what might happen in the case. But it s required by the statute and is also required by the CJC to notify the parties if that happened.
- Q. Thank you. Can you describe what you consider to be appropriate demeanor for a commissioner?
- A. I think Justin Williams exhibits it best at the commission when he says; treat everybody with dignity and respect. And I think that that s what we all should strive for. I know in my -- I know I ve failed on that on occasion, and I try to do better. But we should treat everybody as we want to be treated and

- 1 with dignity and respect.
- Q. Does that apply only while you re sitting on the bench?
- 4 A. No. No. It applies all the time.
- Q. And you touched on this as well, but are you aware that commissioners are subject to the Judicial Code of Conduct as well as State Ethics Laws?
- 8 A. Yes.
- 9 Q. Can you briefly describe the five canons?
- 10 Sure. I m sorry. I was a little colloquial. Α. 11 apologize. A judge needs to maintain the appearance 12 of -- well, not appearance. Needs to maintain 13 integrity and independence. A judge must perform the 14 duties of the office impartially and diligently. Wе 15 have to be careful not to engage in any kind of 16 inappropriate political activity. Under the Code of 17 Judicial Conduct, you re not supposed to engage in 18 politics, make donations, support candidates. 19 to conduct our personal and business lives in a manner 20 that minimizes any potential for conflict of interest 21 that would cause recusal from matters pending before 22 And probably one of the broadest is not only 23 avoid impropriety, but avoid the appearance of 24 impropriety. You got to do what is right and not get 25 crossways with that, so.

- Q. Thank you. Are you active on social media?
- A. I don t post, much, except to say happy birthday to friends or happy anniversary. I don t put out any kind of post on, but I do like to see where friends have gone to visit. I don t like the political stuff. I stay away from that. I like to see the pictures of the grandkids and the children and what they re doing. But to that extent, I am on social media. I don t put stuff out there.
- 10 | Q. Right.

- 11 A. And I avoid a lot of the what I call the trash,
 12 because you don t know if it s true or not anyway.
- Q. So is that what you would consider to be inappropriate use of social media in terms of --
 - A. I think if I were to post things out there, especially commenting on other posts whether, you know, that s stupid or, you know, thumbs up with something that is a political type that that would be inappropriate.

 But I don t -- like I said, I don t comment on that stuff. It s -- I just mainly happy birthday, happy anniversary, that kind of thing. I think on Twitter, I haven t posted in a long time and most of the things I did there were reposting Snoopy cartoons, so.
 - Q. Very good. Thank you. Are you familiar with the review committees advisory opinions that have been

- issued dealing with attendance at legislative receptions, legislative caucus meetings, political gatherings?
 - A. Yes, I am. And I do not attend any of those.
 - Q. So since you we submitted your application, you haven t attended any legislative caucus meetings --
 - A. No caucus meetings, no receptions. Only thing that I have done is I ve come to the State House and met some people in the lobby and just said I m running. I ve not asked for any commitment. I ve walked -- I ve been in the Block Building and the Gressette Building a little bit, have spoken to members. Have not asked for commitments. As a matter of fact, I m very careful to say I am a candidate. I m running. Can t do commitments yet. Just speaking.
 - Q. Thank you.

- A. And I usually wear a little name tag too, when I m over there. I didn t wear it this morning, but when I m at the State House or in the building, I do wear that so that people know they can run if they need to.
- Q. All right. I have a series of questions dealing with conflicts of interest. Are you a member -- are you a member or -- are you or a member of your immediate family employed by a utility regulated by the PSC either currently or within the past two years?

- A. No. And as far as immediate family, it s just me. I have no spouse and no children to meet the definition of immediate family under the State Ethics Code.
- Q. Do you have stock or other financial interest that is directly controlled by you of a utility regulated by the PSC?
- A. No. As a matter of fact, when my mother died I
 inherited -- my sister and I inherited some stock and
 the first thing was -- it was for one of the utilities
 here in the state and I told the stock advisor, I
 said, you we got to sell mine and put it somewhere
 else, so.
 - Q. Are you an officer or director or involved in the management of any business entity or enterprise?
- 15 | A. No.

- Q. What entities did you receive income from within the previous year?
- A. The State of South Carolina and I have -- I inherited some farm property from my parents, and just a little bit of rental income from two different farmers that use some of that property.
- Q. If re-elected, would there be any potential conflicts of interest, financial or otherwise?
- 24 A. Not that I m aware of.
- 25 | Q. Do you belong to any organization that discriminates

- 1 based on race, religion or gender?
- 2 A. No.
- 3 Q. Are you affiliated with any political parties, boards,
- 4 commissions that would need to be reevaluated if you
- 5 | were re-elected?
- 6 A. No.
- 7 Q. Have you made any contributions to members of the
- 8 General Assembly since filing your application?
- 9 A. No. And that s one of the best things about being
- 10 under the CJC and on the Commission is sometimes when
- 11 you get that letter, you can say I m sorry, so.
- 12 | Q. Have you sought or received a pledge of support from
- 13 any legislature --
- 14 | A. No. As I said, --
- 15 | Q. -- prior to this day?
- 16 A. -- I ve spoken to some members in the lobby and in the
- 17 | buildings, but have not asked for a pledge and have
- 18 | not -- and have not been offered one.
- 19 Q. Have you asked any third parties to ask members of the
- 20 | General Assembly?
- 21 | A. No.
- 22 | Q. Are you aware of any friends or colleagues speaking to
- 23 members in this regard?
- 24 | A. No.
- 25 | Q. Are you familiar with the 48-hour rule, which

1 prohibits a candidate from seeking pledges for 48 2 hours after the report has been submitted? 3 Α. Yes. 4 A full 48 hours. Do you plan to serve a full term if 0. 5 elected? 6 Yes. Lord willing. 7 Thank you. And thank you, Commissioner Belser. 0. 8 Mr. Chairman, I would note for the record 9 that Commissioner Belser s exam score was a 91, and 10 pursuant to the committee s earlier motion, now go into 11 executive session. 12 CHAIRMAN ALEXANDER: We will go into executive 13 session under the previous order. I d ask the room to be 14 cleared. 15 [EXECUTIVE SESSION FROM 10:38 - 10:48] 16 CHAIRMAN ALEXANDER: Okay. We are back in session. 17 For the record, there were no actions taken, nor votes 18 taken during executive session. Are there members that 19 have questions for Commissioner Belser? Senator for 20 Orangeburg. Senator Hutto. 21 EXAMINATION BY SENATOR HUTTO: 22 In a utility rate case where utilities are coming 23 before you for an increase in their rates, what factor

do you give to their need -- I guess, I m going to use

the word need, to make a profit? Do you use a formula

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or how does it weigh in at all that utilities are --

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or, you know, consumers are going to be impacted,

3 utilities are asking for more and in part of that

more, they re going to make money off of it. How does

5 that all work together?

A. Well, under the -- kind of the regulatory paradigm and particularly case law, utilities are entitled to earn a reasonable return on their investment. And that --

Q. Is that a formula?

Not really. In -- when it s rate of return Α. regulation, which is typical of the large companies like the natural gas, electric, some of the larger water and wastewater companies, they have to present testimony usually by experts on what an appropriate rate of return -- return on equity would be. well, it is a formula from the standpoint of figuring out the weighted average cost to capital debt and Debt you could calculate because they ve got debt on their books and you can average the sum -- or average the various debt issuances. Capital s a little bit harder, and that s where expert testimony comes in as to what the market is doing and what It s interesting, too. There is a level returns are. of risk, and that s some -- that s one of the -- when you hear about the Hope and Bluefield cases that are

1	U.S. Supreme Court decisions, it talks about a
2	reasonable return on their investment with the
3	corresponding risk in the area and what s as far as
4	businesses, utilities and in the geographic area as
5	well. So it s kind of interesting there. Now the
6	other thing is, on smaller particularly smaller
7	water and wastewater companies that don t whose
8	rates are not regulated on the rate of return, it s
9	usually an operating margin, and it s a return or
10	how you calculate the revenue requirement with that.
11	So. Does that
12	Q. Yes. Thank you.
12	Q. Yes. Thank you.
12 13 14	Q. Yes. Thank you. CHAIRMAN ALEXANDER: Vice Chair Herbkersman.
12 13	Q. Yes. Thank you. CHAIRMAN ALEXANDER: Vice Chair Herbkersman. VICE CHAIR HERBKERSMAN: Thank you, Mr. Chairman.
12 13 14 15	Q. Yes. Thank you. CHAIRMAN ALEXANDER: Vice Chair Herbkersman. VICE CHAIR HERBKERSMAN: Thank you, Mr. Chairman. EXAMINATION BY VICE CHAIR HERBKERSMAN:
12 13 14 15 16	Q. Yes. Thank you. CHAIRMAN ALEXANDER: Vice Chair Herbkersman. VICE CHAIR HERBKERSMAN: Thank you, Mr. Chairman. EXAMINATION BY VICE CHAIR HERBKERSMAN: Q. In the event of a price drop, say like in natural gas,
12 13 14 15 16 17	Q. Yes. Thank you. CHAIRMAN ALEXANDER: Vice Chair Herbkersman. VICE CHAIR HERBKERSMAN: Thank you, Mr. Chairman. EXAMINATION BY VICE CHAIR HERBKERSMAN: Q. In the event of a price drop, say like in natural gas, is there a formula for that, that also corresponds
12 13 14 15 16 17	Q. Yes. Thank you. CHAIRMAN ALEXANDER: Vice Chair Herbkersman. VICE CHAIR HERBKERSMAN: Thank you, Mr. Chairman. EXAMINATION BY VICE CHAIR HERBKERSMAN: Q. In the event of a price drop, say like in natural gas, is there a formula for that, that also corresponds with the consumer pricing or is that just done is
12 13 14 15 16 17 18	Q. Yes. Thank you. CHAIRMAN ALEXANDER: Vice Chair Herbkersman. VICE CHAIR HERBKERSMAN: Thank you, Mr. Chairman. EXAMINATION BY VICE CHAIR HERBKERSMAN: Q. In the event of a price drop, say like in natural gas, is there a formula for that, that also corresponds with the consumer pricing or is that just done is that organic or is that done internally with the

different things, but they re really a cost of gas

mechanism. So if there is a drop in the cost of gas,

they will file with the commission and with ORS what

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the -- what that drop is and request that the gas cost component of the rate be lowered. And that usually occurs pretty quickly when there s a -- if there s a significant drop. It doesn t touch the base charge, the base facility s charge, but it is on the cost of So on the usage side, that s where a customer would see a savings from that adjustment to the cost of gas mechanism. It s also when the cost of gas goes up that that can happen as well, so. other thing, if I may, Mr. Chairman, is, you know, the gas companies are both under the rate stabilization -the Natural Gas Rate Stabilization Act. That s more on the -- and that happens once a year, but that s more on the accounting for any expenditures and especially capital costs that need recovered. to avoid the large increases, say if they don t come in for five years and then have a really large So the Natural Gas Stabilization Act allows increase. them to come in annually within the range that was set in the previous rate case and to try to minimize huge swings in rate increases.

O. Thank you.

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CHAIRMAN ALEXANDER: Senator for District 33, Senator Rankin.

EXAMINATION BY SENATOR RANKIN:

- Q. Commissioner, you off record wondered why I was not maybe as friendly or --
- 3 A. Not friendly, just --
- 4 | Q. -- or verbose --
- 5 A. -- not talkative.
- Q. -- and I wanted to say that for the record, less I
 give away my sense of pride and respect for you that I
 have had as a long time contemporary of yours. We
 finished law school, I think, the same year.
- 10 | A. We did.
- 11 | 0. 1965.

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- 12 A. Well, I don t know then, you re a little bit older 13 than me, then. Feels that way some days.
 - Q. And we admit, obviously, and the weight that you give this job is obvious to anybody that encounters you. I ve never witnessed you contest a hearing, but you do bring a very seriousness about this and I think recognizing all that is in play. And so I just want to give you the kudos for that. But more acutely, the folks that you have with the letters of recommendation who speak to you and speak to what, again, I just describe far better words perhaps the best and that d be from Judge Cooper, Tommy Cooper, with the character of the DNA that you have and the service that you bring to this. So this is not easy work. We have

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struggled to find and to reward and make commensurate with pay the level that this job requires, both Public Service Commission members and ORS itself and that you continue to enjoy doing it and continue to describe a work and the desire to do it is testament to my view of you we ve got the right person. Your challenger may well have the same attributes, I just don t know yet, but all that to just tell you there are other jobs and very briefly, why would you want to continue doing this hard work?

Thank you for that question. I ve been practicing in Α. this area of the law since 1993 when I went on the Public Service Commission as a staff attorney not knowing anything about utility regulation, except that a friend of mine had been at the commission and gone to work for MCI, and she said she d enjoyed it and there was an opening. So I applied. And I have learned a tremendous amount over the years. I think when you re an attorney or CPA or any professional, I think you need to enjoy the work because I love ferreting out issues. I love digging into transcripts. I love just under -- helping myself understand what s before us. And it s a challenge, but it also brings a lot of grat -- or, you know, self-worth or gratitude to me because I didn t

understand the importance of it when I was maybe a staff attorney, but as a -- when I started, but it -this job impacts every -- really every citizen in the state whether they are taking service from a regulated utility or not, because even if the consumer isn t, a business they re doing business with probably is, so I just enjoy the work. I enjoy the challenge. I enjoy the people I work with, even though sometimes I don t always agree or sometimes I wish things might be a little better here or there, I enjoy the people that I work with. We ve got a good group out there and it s just fun. To me. It s enjoyable more than fun. Ιt brings a lot of satisfaction, I suppose.

Q. Thank you.

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EXAMINATION BY CHAIRMAN ALEXANDER:

- Q. I got a question for you, if you would. You know, when you went on the commission, to say it lightly, there was a lot of change going on with that period of time and things from that standpoint. How are things different today with the commission as compared to when you first went on the commission, briefly?
- A. We ve had a lot of turnover. I mean, and we re really
- Q. Turnover in staff? Turnover in commission --
- 25 A. Turnover -- well, both. Commissioners for sure,

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because Commissioner Justin Williams went on in July
of 18. I came on in February of 19. We re the two
longest serving commissioners. Staff, the legal
department looks a lot different than it did when I
first started. We ve added two new hard working folks
in the technical department as well. And those are
the folks that the commissioners deal with a lot and
get advice from. But we ve all been working to learn
and keep up. There have been a lot of changes, as
y all are dealing with quite a and I don t envy
what y all do. I m glad y all are doing that part and
not me. But the changes in the law, both state and
federal, and, you know, it s just it s working.
We re all learning. It s constant study. But I think
any professional, whether you re an attorney or a CPA
or engineer, you got to stay abreast. You got to do I
say continuing legal education, but I hit the 60/30
rule, and I don t have to do CLEs anymore. But even
though I don t have to do CLEs, I you ve still got
to study to keep up. That s why we go to NARUC and
SARUC is to keep abreast of the current things that
are happening, especially on a federal level with a
lot of the industries.
CHAIRMAN ALEXANDER: Other questions? All right. I

think if you don t have anything else to say, then this

1	will conclude your portion of our screening process. I
2	certainly want to remind you pursuant to criteria, we
3	expect you as a candidate to follow the spirit as well as
4	the letter of the state s ethics laws. Any violation or
5	appearance of impropriety on your part could be deemed
6	very serious and potentially warranting us calling you
7	back for further questions. You understand that?
8	MS. BELSER: Yes, sir, I do.
9	CHAIRMAN ALEXANDER: Very good. Thank you for your
10	willingness to serve.
11	MS. BELSER: Thank you. And I appreciate your time,
12	your attention and your questions this morning. Thank you
13	for affording me this opportunity. Y all have a good day.
14	RICHARD N. MCINTYRE (GILBERT)
15	CHAIRMAN ALEXANDER: We will now call our next
16	Public Service Commission candidate of the Second
17	Congressional District, Mr. Richard McIntyre. He ll be
18	with us momentarily.
19	MR. MCINTYRE: Good morning.
20	CHAIRMAN ALEXANDER: Good morning. Welcome, Mr.
21	McIntyre. If you d raise your right hand, sir. Do you
22	swear to tell the truth, the whole truth and nothing but
23	the truth so help you God?
24	MR. MCINTYRE: I do.
25	RICHARD N. MCINTYRE, having been first duly sworn, was

examined and testified as follows:

CHAIRMAN ALEXANDER: Thank you, sir. Mr. McIntyre, we have thoroughly investigated your qualifications to serve on the Public Service Commission. The inquiry has focused on your qualifications set forth in South Carolina Code Section 58-3-20 and includes a thorough study of your application materials, verification of your compliance with State Ethics Laws, a study of any previous screenings by the review committee, a check for economic conflicts of interest and a written examination. The review committee has received no formal complaints filed in opposition to your election. Would you like to make a brief opening statement?

MR. MCINTYRE: Thank you, Mr. Chairman. Thank all of you for allowing me to be here this morning. My name s Richard McIntyre as you obviously saw. I just welcome the opportunity to serve the state. I ve been a commercial banker for over 40 years in the state, serving my constituents. Servicing various capacities in public service from the President of the River Bank Zoo Society to the Finance Chairman for the Columbia Metropolitan Airport. I am retired at the end of this month from my banking position, and so this presented an opportunity for me to continue my public service and an endeavor to continue working for the State of South Carolina. Thank

- 1 you.
- 2 CHAIRMAN ALEXANDER: Thank you. Thank you for that
- 3 | statement. Now, we have -- I m going to recognize Mr.
- 4 John, who has a series of questions for you.
- 5 | EXAMINATION BY MR. JOHN:
- Q. Hello, Mr. McIntyre. Can you please state your full name and current address for the record.
- 8 A. Richard Nelson McIntyre, [REDACTED]
- 9 Q. You have before you your personal data questionnaire
 10 that you submitted with your application. Do you need
- 11 to make any changes to that at this time?
- 12 | A. No, sir.
- Q. Do you have any objections to this being made part of the record?
- 15 | A. No. sir.
- Q. Okay. If you ll hand that to Ms. Putnam, that will become part of the record.
- 18 (EXHIBIT NO. 3 WAS MARKED FOR IDENTIFICATION PURPOSES
- 19 (7 pages) PDQ MCINTYRE)
- MR. JOHN: As a brief background, Mr. McIntyre
- 21 earned a Bachelor of Science degree in accounting and
- 22 | finance from the University of South Carolina in 1980. He
- 23 | went to work for CNS National Bank and the successor
- 24 | Nations Bank from 81 to 1993. He held the positions of a
- 25 | collector, branch manager, commercial lender and consumer

- 1 loan administrator. He then went to work for Carolina
- 2 | First as the bank s Lexington County executive until 2003.
- 3 | Since that time, he has worked for First Reliance Bank as
- 4 | a market executive until the end of retirement effective
- 5 | April 30th of this year. Congratulations. Mr. McIntyre,
- 6 as he mentioned, was elected to serve on the Lexington and
- 7 | Richland Airport Commission from 2014 to 2020, where he
- 8 | was Finance Chairman from 15 to 2020 and Vice Chairman
- 9 | from 2019 to 2020. He served on the Riverbank Zoo Society
- 10 | Board of Directors for 10 years until 2014. A member of
- 11 | the Lexington County Rotary Club since 1985 and the
- 12 | Lexington County Chamber Commerce since 1984. A
- 13 | background check of Mr. McIntyre indicated no criminal
- 14 | record and a review of his credit report indicated no
- 15 | negative information.
- 16 Q. Mr. McIntyre, are you a registered voter?
- 17 | A. Yes, sir.
- 18 Q. In what congressional district are you registered?
- 19 A. That would be two, I believe, sir.
- 20 Q. Can you tell us why you re interested in serving on
- 21 the Public Service Commission?
- 22 | A. What was that, sir?
- 23 | Q. Why are you interested in serving on the Public
- 24 | Service Commission?
- 25 A. Personally, I think it s a critical job for the state

of South Carolina. In my opinion, cost effective power for our consumers, water and sewer, adequate water and sewer, clean water and sewer systems are vital to our economic progress. I think I have the experience and in depth knowledge to do this job, and timing is everything. And it just seems like with my pending retirement, this opportunity presented itself, which would -- I previously discussed with others back in 19, and I feel like I can do the job, I m willing to do the job, and would like the opportunity.

- Q. Have you attended any hearings of the commission since you applied or --
- 13 A. I have not.

- 14 | Q. -- prior? You read any commission decisions?
- 15 A. I have read some of the decisions and I actually have read some of the minutes of the meetings, yes, sir.
- Q. If you were elected, how would you go about getting up to speed on commission business?
 - A. Well, I m an analyst, so I have to read. I ve just always been one to delve into the details of decisions and the background. If you re a credit officer, you have to -- you have to get into the details and the minutia of some of the individual credits and the understanding. My understanding of the role of the commissioner is I want to be able to consider the

- evidence and testimony before me, so I would have to
 in regards to some of the particular parts of the

 Public Service Commission, I d just have to educate

 myself to the -- to those processes.
 - Q. How -- what do you envision your work schedule being like, if you were elected?

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- 7 Α. I d have to be full time. I mean, honestly, I ve got 8 40 years of banking experience. The airport 9 commission was very enlightening on how to deal with 10 federal grants and the minutia of dealing with some of 11 those accounting issues. But to properly educate 12 myself I would -- I can t foresee that this wouldn t 13 be a full-time job.
 - Q. Would you generally describe the role of the PSC in regards to the regulation of utilities?
 - A. Wow. My perspective is that you re the final arbitrator of the decisions presented to the commission based off that evidence and testimony. You re sort of the gatekeeper for South Carolina.
- Q. Do you think that s an appropriate role or should it be modified?
- A. Gosh, that s an interesting question. It s an
 appropriate role as it s been described in legislative
 -- or detailed in the legislation. Somebody s got to
 make that decision. And so -- and looking out for the

consumers in South Carolina in these regards, I think
it s an important role.

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- Q. Ex parte communication, can you describe your general understanding of those rules?
- Α. They re prohibited unless there are certain types of, I think the wording was in regards to schedule or procedures, but there s -- it s very guarded to you really can t have those outside of the conflict. would -- I would say that -- going back to that exam that you had a brief period of time to study for, the one thing about the canons is really more consistent with life as a credit officer and the -- you just have to understand that you just can t communicate the information that you re provided. Everything I ve done in the banking environment s been on a confidential basis, and I m not allowed to talk about other people s finances and those kinds of things. it really didn t -- it sort of resonated to me as far as our roles as a banking officer and credit officer.
- Q. If you were approached by someone who wanted to discuss a matter that s before the commission or that might come before the commission, how would you handle that?
- A. Well, I d politely refuse to continue the conversation. It s essentially what the ex parte is,

- is to avoid those conflicts of interest.
- Q. Can you describe what you would consider appropriate demeanor for someone serving on the Public Service Commission?
- A. Well, appropriate demeanor to me is respect for others, do your homework, be prepared for your meetings and, honestly, I think it s important to develop relationships among the other commissioners and relationships so that you can have adequate conversations about the issues in an intelligent manner.
- Q. Would you consider that temperament to apply only while you re on the bench?
- 14 | A. No.
- Q. Are you aware that commissioners are subject to the Judicial Code of Conduct as well as State Ethics Laws?
- 17 | A. Yes, sir.
- 18 Q. Can you just briefly and generally describe the five canons of the code of conduct?
- 20 A. Oh my goodness. That was in the test and that was -21 I think I had like a week to study for that test.
- And, you know, I actually drank my coffee this morning and said he s probably going to ask me about that this morning.
- 25 | Q. You don t have to recite them word for word, but just

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- A. Well, essentially it s --
- 3 | Q. -- an application.
- 4 -- maintain your -- the integrity of the court and I 5 know I won t use the words correctly. Promptly and 6 diligently complete the cases that are before the 7 court. Maintain the integrity, I may have just said 8 that, of the court through appearance. Essentially 9 avoid conflicts of interest. No ex parte 10 I m trying to think through all this conversations. 11 thing. It was rather vast. But essentially it goes 12 back to the maintain the -- your integrity, your 13 independence and not only through your professional 14 conduct, but also through your social conduct. But to 15 me, it s -- that s a difficult question to complete 16 today -- this morning.
 - Q. Sure. Thank you. The review committee has put out a few advisory opinions, one dealing with candidate s attendance at legislative receptions, legislative caucus meetings, political gatherings. Are you familiar with those?
- 22 | A. Yes, sir.
- Q. Have you attended any legislative receptions or legislative caucus meetings since submitting your application?

- 1 A. No, sir.
- 2 | Q. How about any political gatherings during that time?
- 3 | A. No, sir.
- 4 Q. Okay. Are you or a member of your immediate family
- 5 employed by a utility regulated by the PSC now or
- 6 within the past two years?
- 7 | A. No, sir.
- 8 Q. And a few others about conflicts of interest. Do you
- 9 or an immediate member of your family have stock or
- 10 other financial interest directly controlled by you in
- 11 a utility --
- 12 | A. No.
- 13 | Q. -- regulated by the PSC? Do you or a member of your
- 14 family, are you an officer or director involved in the
- 15 management of any business enterprise?
- 16 | A. No, sir.
- 17 Q. What entities do you or a member of your immediate
- 18 | family receive income within the previous year?
- 19 A. Myself, just the First Reliance Bank. My wife,
- 20 Lexington Medical Center and state retirement systems.
- 21 Q. If you were elected, would there be any potential
- 22 conflicts of interest, financial or otherwise?
- 23 | A. No. sir.
- 24 Q. What would you do if a conflict arose?
- 25 A. Report it.

- Q. Do you belong to any organization that discriminates based on race, religion, or gender?
- 3 | A. No, sir.
- Q. Are you affiliated with any political parties, boards or commissions that would need to be re-evaluated if you are nominated and elected?
- 7 | A. No, sir.

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- Q. I have a few substantive questions for you that might be familiar. Can you please describe the terms interview efficiency and demand side management?
- 11 Not adequately, sir. The -- I would -- for the Α. 12 committee, I -- obviously I m a novice for the Public 13 Service Commission and I think they gave us about a 14 week to read this material, and I ve read it all about 15 three times, but to absorb it and define, I know one 16 of those things I read through was energy efficiency 17 and so forth. But to actually come up here and recite 18 those definitions this morning, I would be deficient. 19 I apologize.
 - Q. How about distributed energy and resources?
- A. Distributed energy resources. That s exactly what s
 on the question -- was on the test. No, sir. I -- it
 -- gosh, I even tried to read that again this morning.
 The -- I m not going to try to answer --
- 25 Q. Sure.

- A. -- those questions. I m sorry.
 - Q. Sure. So within classes of customers, sometimes the cross subsidization or cost shifting can occur through various means. Can you describe, you know, how that might be addressed by the commission? Utility rates -
- 7 A. Are you talking about avoided cost?
- Q. Right. So if a utility was operating an energy efficiency program incentivizing weatherization of homes, cost being born by customers who don t participate.
- 12 A. Correct.

- Q. In what way should the commission seek to insulate other customers?
 - A. Well, I think the provision I read was that you have to allocate those costs over the providers -- or the users throughout the system, I would say. That s sort of a -- I would look at it as more like a capital cost that the entire users have to pay into the system.

 Whereas the actual users of the system are -- would be paying it all if they weren t -- if there wasn t some way of allocating those costs. That maybe the novice viewpoint of it. I look at it as the power company s renting those power lines and the solar users only use them when they need them, but they re still in -- have

- been installed and so there has to be some allocated cost there passed on to those folks that are -- that need the power only when they need it, but they don t want to pay for it when they don t want it. I m not sure that s a --
 - Q. No, that s helpful. Thank you. And one more for you.

 Integrated resource plan. Can you tell us what that
 is?
 - A. I think that goes back to -- the integrated resource was the, I want to say, the combination of the variety of resources, the sources of power, the renewables and how they would be implemented and/or garnered into the power grid and allocated based off of those resources.

 And I believe those plans had to be updated every three years. But that s a lot of material, gentlemen, to grasp over a week.
 - Q. It is. It is. The commission handles a wide range of responsibilities in different areas. Okay. Just a few more questions as we wrap up for you. Have you made any contributions to members of the General Assembly since filing your application?
- 22 | A. I have not.

- Q. Have you sought or received a pledge of support from any legislative prior to this day?
- 25 A. No, sir.

- 1 Q. Have you sought or been offered a conditional pledge
 2 of support by the legislature?
- 3 | A. No, sir.
- Q. Have you asked any third parties to contact members of the General Assembly?
- 6 A. No, sir.
- Q. Are you aware of any friends or colleagues that may have done so?
- 9 | A. No, sir.
- Q. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledge from a legislature within 48 hours of the committee s report being issued?
- 14 | A. Yes, sir.
- 15 Q. If you were elected, do you plan to serve a full term?
- 16 A. Yes, sir.
- 17 Q. Thank you, Mr. McIntyre.
- 18 MR. JOHN: I ll note for the record that Mr.
- 19 | McIntyre s exam score is a 63. Mr. Chairman, I have no
- 20 | further questions, but pursuant to the committee s
- 21 | previous motion to go into executive session with each
- 22 | candidate, would you like to do that at this time?
- 23 CHAIRMAN ALEXANDER: That would be appropriate for
- 24 | us to go into executive session at this time. I d ask the
- 25 | room to be cleared.

1 [EXECUTIVE SESSION FROM 11:18 - 11:25]

CHAIRMAN ALEXANDER: For the record, we are back in regular session. No action was taken and no votes were taken during the executive session. We continue with Mr. McIntyre. Before us today is a candidate for the Second Congressional District of the Public Service Commission. Are there questions by members of the committee? Senator Horry, Senator Hutto. I m sorry, Senator Rankin.

SENATOR RANKIN: It would be a promotion for Horry if he were the senator.

EXAMINATION BY SENATOR RANKIN:

- Q. Mr. McIntyre, just briefly, this is, as I asked the incumbent, Ms. Belser, this is not easy work. It is not an easy subject. And you have retired from a successful career in banking, which is likewise not easy stuff and more and more a daily or annually a heavy lift. Why in the good Lord s name and Earth would you want to move from retirement in a very difficult field?
- A. My wife wants to know the same question. But I m being flippant. I ve been working since I m 12 and, you know, retirement is a scary thing, you know, if you think about it. You know, there s only one stage left after that, and I m not a docile person. I ve

got two residences. I ve got two grandchildren that I love dearly. And I m just not a docile person, you I can t sit on the couch and watch TV. just not something -- that s not me. And I don t think I can play golf four days a week. So to me, it s -- back when my term was coming up at the airport and I was getting termed out, the discussion was to consider this from some folks, because there was some difficulty at the time 2019. And I think it s a challenge, and I think it would be something that I -that not only can I do, I think I can be helpful to the State of South Carolina. So I m willing to do it. It s a perfect time for me to take that opportunity. I thought it was a four-year term. I understand this is only for one year, but this -- but it was certainly is, to me, a challenge and I think it s -- I think it s a good opportunity to help the State of South Carolina.

19 | EXAMINATION BY CHAIRMAN ALEXANDER:

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- Q. And thank you for being here today and obviously with your background -- financial background, how do you -if you were on the commission, how would you envision that being able to assist you in the work that you would be doing?
- A. Well, it -- my analytical skills. I am -- to be a

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in our state is still woeful.

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good commercial banker and to get to be in the credit process, you got to be an analyst. You have to understand what I call multiplayers. You have to understand the business, competition, and not only today, but you have to think about five years from now. You know, I -- being a commercial banker sometimes you don t have to -- you have to look down the road and I don t want to disparage anybody, but you have to determine whether somebody s in a Blockbuster Video business or they re in a car business that s, you know, it s just maybe changing. But there s certain businesses that become obsolete and you had to understand that not only where a business was today, but where it might go in the future and how you were going to deal with that as a banker. And sometimes you had to, you know, make hard choices and make the -- based off what was before you. Would the financial impacts of things that come before the commission be something that would be a concern for you? Absolutely. Absolutely. I think it s important for us to have -- afford power and water and sewer

CHAIRMAN ALEXANDER: Are there other questions?

I mean, to me the lack of water and sewer

1	there are no other questions, this will conclude your
2	portion of our screening process today. Just want to
3	remind you that the criteria that you re under, I expect
4	you, as a candidate, to follow the spirit as well as the
5	letter of the state ethics law. Any violation or
6	appearance of impropriety on your part would be deemed
7	very serious and potentially warranting us calling you
8	back for further questions. So do you understand that?
9	MR. MCINTYRE: Yes, sir.
10	CHAIRMAN ALEXANDER: Very good. Thank you for your
11	willingness to serve, and I m sure staff will be in
12	contact with you.
13	MR. MCINTYRE: Thank you all. Thank you, Mr.
14	Chairman. Y all have a nice day.
15	CHAIRMAN ALEXANDER: Pleasure to have you here.
16	Thank you.
17	PUBLIC SERVICE COMMISSION SEAT 4:
18	H. DAVID BRITT (SPARTANBURG):
19	CHAIRMAN ALEXANDER: We ll move right along,
20	continuing here. Public Service Commission candidate for
21	the Fourth Congressional District is Mr. David Britt. And
22	we ll be with him momentarily. Good morning, Mr. Britt.
23	MR. BRITT: Good morning. How are y all doing?
24	CHAIRMAN ALEXANDER: Doing good. Thank you for
25	being with us today. If you would, raise your right hand.

1	Do you swear to tell the truth, the whole truth and
2	nothing but the truth so help you God?
3	MR. BRITT: Yes, sir, I do.
4	H. DAVID BRITT, having been first duly sworn, was examined
5	and testified as follows:
6	CHAIRMAN ALEXANDER: Thank you, sir. Appreciate
7	that. Again, we re delighted to have you here. We have
8	thoroughly investigated your qualifications to serve on
9	the Public Service Commission. Our inquiry focuses on
10	your qualifications set forth in South Carolina Code
11	Section 58-3-20, and includes thorough study of your
12	application materials, verification of your compliance
13	with the state ethics laws, a study of any previous
14	screenings before the review committee, a check for
15	economic conflicts of interest and a written examination.
16	Would you like to make an opening statement a brief
17	opening statement?
18	MR. BRITT: Yes, sir. I d be glad to.
19	CHAIRMAN ALEXANDER: All right.
20	MR. BRITT: I am David Britt. Grew up in Dillon
21	County and, you know, born on a little tobacco farm.
22	Cotton farm. I brought one PowerPoint, because I think it
23	is important to kind of know where I came from. A little
24	place called Oak Grove, between Lata and Bennettsville.
25	On a small tobacco farm. And from that, that s where I

got my, I think, my desire to serve. And I have I
learned a lot of that from my grandfather, Stonewall David
Wise, and I ll show you another picture in a minute. But
I moved to the big city of Florence when I was in the
third grade and decided I didn t like farming, and I
wasn t good for medical, but so law was what I planned
to do. So I moved north to go to Wofford College. Got a
degree there and was offered a great opportunity my senior
year in college to go to work with an industry. And that
created my opportunity not to go to law school, but to
work in industry and stayed in Spartanburg since 1977 when
I graduated. I ve had the good fortune working with some
great companies, and the latest I ve been with for 37
years. Tindall Corporation owned by Bill Lowndes a great
individual that s been a great mentor to me. And during
that process, also, as I mentioned earlier, I like
serving. I got elected to the school board in 1987 and
right after my first term was getting close to ending, I
got recruited to run for county council. Because in
Spartanburg at the time, if you recall back in 1991 and
you re from the upstate, everything was textiles in
Spartanburg. And in the course of about five years from
1985 about 1990, we lost 25,000 jobs and there were about
40,000 people unemployed. And I got recruited to run for
county council over the course of a weekend because the

- 1 | lead -- some leadership that I could bring companies to
- 2 | Spartanburg. So I ve been fortunate, served -- won May 7,
- 3 | 1991, and I ve chaired economic development of county
- 4 | council, been the vice chairman for most of the time, and
- 5 | we ve been very blessed. We recruited almost 90 billion
- 6 dollars in investments in Spartanburg County and about
- 7 | 100,000 new jobs. So that s a little bit about me. I m
- 8 | married. I have two children and one of my -- our
- 9 children lives here in Columbia. I have two grandchildren
- 10 here. So that s a snapshot, and I know y all don t need
- 11 | to hear anymore.
- 12 CHAIRMAN ALEXANDER: Very good. Thank you. Thank
- 13 | you for your statement there. I will now recognize Mr.
- 14 John, he has a series of questions for you here.
- 15 | EXAMINATION BY MR. JOHN:
- 16 Q. Nice to see you, Mr. Britt. Can you please state your
- 17 | full name and current address for the record.
- 18 A. Henry David Britt, [REDACTED]
- 19 Q. Thank you. You have your personal data questionnaire
- 20 there in front of you that you submitted with your
- 21 application. Any modifications or edits to that at
- 22 | this time?
- 23 | A. No. sir.
- 24 | Q. You have any objections to placing this in the record?
- 25 | A. No, sir.

1 0. Thank you. Hand that to Ms. Putnam, we will 2 officially make that part of the record. 3 (EXHIBIT NO. 4 WAS MARKED FOR IDENTIFICATION PURPOSES 4 (9 pages) - PDO - BRITT) 5 MR. JOHN: A brief background, pretty much as you 6 just stated, Mr. Britt earned a Bachelor of Arts in 7 Government from Wofford in 1979. 8 MR. BRITT: 77. 9 Thank you. MR. JOHN: 77, excuse me. Mr. Britt 10 was the Director of Human Resources for Flowers Industries 11 from 1977 to 1980. Then worked as Director of Industrial 12 Relations of Boiler Two Company of the USA from 1980 to 13 Mr. Britt founded David Britt and Associates in 1985 14 where he worked as a management consultant for industrial 15 manufacturing companies in the U.S. until 1998 when he 16 went on to Tindall Corporation as the Vice President and 17 General Manager. He went to Tindall in 1988, has since 18 become Vice President and General Manager during that 19 In 1987, he was elected to the Spartanburg District 20 Seven School Board where he served until 1991. He served 21 on the Spartanburg County Council for District Three since 22 1991, Vice Chairman of -- Vice Chairman of the council and 23 Chair of the Economic Development committees since that 24 Mr. Britt has served on the Chapman Cultural Center

board, the Spartanburg Regional Health System Heart

- 1 | Foundation board, Wofford College Alumni board. He is a
- 2 | member of First Presbyterian Church of Spartanburg where
- 3 he s a former deacon and elder. Background check of Mr.
- 4 | Britt indicated no criminal record, and a review of his
- 5 | credit report indicated no negative information.
- 6 Q. Mr. Britt, are you a registered voter?
- 7 A. Yes, sir.
- 8 Q. In what congressional district are you registered to 9 vote?
- 10 A. Fourth.

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- Q. Why are you interested in serving on the Public Service Commission?
 - A. I have, as I said, I was -- I have it in my DNA to serve and I have been -- I was approached last summer about the vacancy on the Public Service Commission by a number of friends and they said this would be an opportunity to expand my service. And I want to serve the State of South Carolina. I know how important and how needy the whole electrical grid is, because I recruit companies here. And we hear that nonstop, whether it s BMW doing a 1.7 billion dollar expansion or some new companies wanting to come to Spartanburg. I also know I m -- the demand that s on, you know, the whole energy producing system from, you know, December of 23 when we almost had the blackouts because of the

1 extreme cold weather. But I see this as a way to 2 serve the state in a broader capacity and I would love 3 to do it. I ve gotten very interested in studying 4 My understanding of what the Public what it does. 5 Service Commission does and is doing has been 6 heightened. I want to serve even more than when I was 7 originally approached about looking at this 8 opportunity. There s a lot for me to learn and a lot 9 for me to grow, and I m -- that s what challenged me 10 and makes me excited.

- 11 Q. Have you attended any hearings at the commission recently or in the past?
- 13 A. Virtually.
- 14 | Q. Virtually?
- 15 A. Yeah. As of Tuesday, in fact. That was the latest.
- Q. Okay. Very good. Very good. Have you read any commission decisions?
- 18 | A. Yes.
- Q. So if you were elected how would you get up to speed on issues in front of the commission, maybe in addition to what you we been doing recently?
- A. I would do much like what I did when I first got
 elected to the school board. I go full force, as well
 as on council. I take this as a very serious
 obligation and commitment, and I would spend as much

time as necessary and, in fact, I ve been to the office twice to talk to the executive director just about how, if I were fortunate to get elected to this position, how I can ingrain myself and also quickly get up to speed where I could be a productive producer as a commissioner.

- Q. If you were elected, how would you envision your work schedule shaping up?
- A. Well, for the last 34 years I ve worked two jobs, both at Tindall as vice president and the chairman -- vice chairman of the county council. So I figured -- I put in about 20 hours on county council and about 45 to 50 at Tindall, and I think by focusing my efforts on one job I can spend as much time as necessary. I plan to at least rent an apartment here in Columbia, if not, buy a condo somewhere. And if I need to be there five or six days a week to learn and produce and make this committee proud of their decision, I will do it.
- Q. In general terms, what role does the PSC serve in the regulation of utilities?
- A. And again, through my reading and study, it s far greater than what s defined in setting rates for both the, you know, industrial electric companies and as well as natural gas, water. I think it s to serve the people. To be balanced and fair, and as a role as

commissioner, as I ve understood it now, is to listen, study, get all the facts, evaluate and then render a decision.

Q. Great. Can you explain the general rule regarding ex parte communications as it applies to the commission?

- A. I think it makes it very clear, and again, in my two lives and the one that I m currently living, it s very much like that. You do not have discussions with anyone about subjects that, you know, are currently before the commission or may come to the commission. I ve done that most of my elective life, been very careful of what I say about projects that we re working on. And it would be no different from this. It -- you know, very limited discussions about anything that, again, like I say, that may come before the commission or is before the commission. You do not discuss it.
- Q. So pretty much answered it, but if a situation arose where someone approached you really wanting to discuss a matter that s before the commission or even might come before the commission, what would you do in that situation?
- A. First of all, I d say I can t do it. Then I d go to the chairman and explain what s happened. Someone wanted a discussion.

- Q. Can you describe what you would consider to be appropriate demeanor or temperament for a commissioner?
- A. You know, I look at it much like a judge. I want to, you know, display, you know, integrity also confidence. The ability, you know, whether I m sitting at the bench or out in public that is one of, you know, of integrity and someone that s not, you know, above reproach and the people would have trust in.
- Q. On that note, are you aware commissioners are subject to the Judicial Code of Conduct and the State Ethics
 Laws?
- 14 A. Absolutely.

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- Q. Can you, in general terms once again, describe the five canons of the code?
- And the way I look at it is much like I ve led my 17 Α. 18 Number one, integrity and independence. life. Number 19 two, is beyond reproach and with any type of 20 irregularities or whatever seconded with impartiality. 21 I would demonstrate and be impartial. I would listen, 22 evaluate the facts and make a decision. The fourth of the code -- of the canons would be that in my 23 24 extracurricular duties and also beyond -- above 25 reproach and beyond reproach both in my personal life

- 1 as well as my family would be very careful about 2 gifts, any type offerings. Just in general, again, 3 demonstrate integrity and confidence that people could 4 have in the office that I would not be swayed by 5 things of that nature. And the fifth being, you know, 6 as far as political activities that I would not engage 7 in any type political activities, support whether 8 it s, you know, going to political functions, being a 9 party member. I would divorce myself from all 10 activities that, you know, not only fundraising, but 11 no contributions in any political canon.
- 12 Q. Thank you. Are you familiar with the advisory
 13 opinions issued by the review committee dealing with
 14 attendance at legislative --
- 15 A. Oh, I --
- 16 Q. -- receptions, caucus meetings and political
 17 gatherings?
- 18 A. Yes.
- Q. Have you attended any legislative receptions or legislative caucus meetings since submitting your application?
- 22 A. No.
- 23 Q. How about political gatherings since --
- 24 | A. No.
- 25 Q. Okay. Thank you. Some -- dealing with conflicts of

- 1 interest. Are you or a member of your immediate
- 2 | family employed by a utility regulated by the
- 3 commission now or within the past two years?
- 4 A. No.
- 5 | Q. Do you or a member of your immediate family have stock
- 6 or financial interest directly within your control in
- 7 a utility regulated by the commission?
- 8 A. No.
- 9 Q. Are you or -- are you or a member of your immediate
- 10 family an officer or a director involved in the
- 11 management of any business enterprise?
- 12 A. No. Other than being Vice President of Tindall
- 13 | Corporation.
- 14 Q. Other than Tindall.
- 15 A. Yeah.
- 16 | 0. Is that correct?
- 17 A. Yeah. Yes, sir.
- 18 | Q. What entities did you or a member of your immediate
- 19 | family receive income within the previous year? From
- 20 what entities did you --
- 21 A. Okay. Tindall Corporation and Spartanburg County as a
- 22 | council member.
- 23 Q. Thank you. If elected, would there be any potential
- 24 conflicts of interest financial or otherwise?
- 25 A. No.

- Q. What would you do if a conflict arose?
- A. Again, I, you know, if one arose I d recuse myself, if they were coming before the commission. But also, you know, inform the council -- I mean the commission
- Q. Okay. Do you belong to any organization thatdiscriminates based on race, religion or gender?
- 8 A. No.

chair.

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- 9 Q. Are you affiliated with any political parties, boards
 10 or commissions that would need to be re-evaluated if
 11 you were nominated and elected?
- 12 | A. No.

- Q. And I have some substantive questions for you that may be familiar. Can you please describe the terms energy efficiency and demand side management?
- 16 Α. Well, I think this, you know, comes out of Act, you 17 know, 62, 2019 I think is when the state and the, I 18 quess, you know, General Assembly took very serious 19 concern and direction towards being, you know, energy 20 efficient in all that we do, you know, offering the 21 rate holders, you know, the opportunity to use solar 22 and affect their power rates and do -- and use 23 whatever means is necessary to do that. And what was 24 the second?
 - Q. So the first was energy efficiency. The second is

demand side management.

- A. Yeah. Demand side management gives the opportunity for both, you know, businesses and, you know, individuals to control and really manage their energy consumption, you know, using the sources that are out there. And the renewable energy sources.
- Q. Great. Thank you. Can you describe the term distributed energy resources?
- A. Yes. And again, it gives the opportunity for, you know, individuals as well as business and industries to use the power sources they have. And if they have, you know, sources that can be given back to the customer, they do that, or the energy provider. And, again, a source of managing their own power usage.
- Q. Great. So one thing that comes up with programs and -- programs like you just described that are run by utilities is cost shifting or cross subsidization between customer classes. How would you -- how would those concerns factor into the commission s decisions?
- A. Again, you know, what I would try to do as a commissioner, much like I do as a councilman, get all the facts, study them, use a balanced approach and see how that affects them as well as the rate payers.
- Q. Thank you. And just one more. What is an integrated resource plan?

- 1 Α. It s much like what I do every year and have done with 2 Tindall Corporation. A business plan. It s an 3 opportunity for these electric providers to look at 4 what is necessary, you know, and they have to, you 5 know, produce these integrated resource plans every 6 three years with a 15-year outlook. But it s a 7 business plan. Okay, what are the energy demands 8 going to be that I see for the next year or three 9 years, 15 years. How am I going to, you know, deliver 10 that need and that demand. And thirdly, how I m going 11 to pay for it. How they re going to pay for it. And 12 this, you know, this is a great plan. I just read 13 Dominion s that they submitted March 31st and it s a 14 good business plan. It s really what we do all the 15 time. If you re running a business, you want to know, 16 you know, what am I looking at for my market 17 opportunities, you know, how am I going to deliver 18 that and what is it going to cost, you know, to do so.
 - Q. Thank you. Since filing your application, have you made any contributions to members of the General Assembly?
- 22 A. No.

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- Q. Have you sought or received a pledge of support from any legislator prior to this day?
- 25 A. No.

- Q. Have you sought or been -- have you sought or been offered a conditional pledge of support?
- 3 A. No.
- Q. Have you asked any third parties to contact members of the General Assembly on your behalf?
- 6 A. No.
- Q. Are you aware of any friends or colleagues who may have done so?
- 9 A. No.
- Q. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges from the members of the General Assembly up to 48 hours after the submitted report has been issued?
- 14 | A. Yes.
- 15 Q. If you were elected, do you plan to serve a full term?
- 16 A. Absolutely.
- 17 | Q. Thank you.
- MR. JOHN: I would note for the record that Mr.
- 19 Britt s exam score is 50. Mr. Chairman, pursuant to our
- 20 earlier motion to go into executive session with each
- 21 | candidate, would you like to do that at this time?
- 22 CHAIRMAN ALEXANDER: Without objection, we ll go
- 23 into executive session. I d ask the room to be cleared.
- 24 [EXECUTIVE SESSION FROM 11:50 12:05]
- 25 CHAIRMAN ALEXANDER: We re back in open session.

- 1 | For the record, there was no actions taken, nor votes
- 2 | taken during executive session. We continue with Mr.
- 3 | Britt for the Fourth Congressional District for the Public
- 4 | Service Commission.

disposition?

- 5 EXAMINATION CONTINUES BY MR. JOHN:
- Q. Mr. Britt, on your personal data questionnaire, you reported involvement in one legal matter as of 2015, a case, you and two other members of Spartanburg County Council among others were sued by the county clerk of court. Can you briefly tell us about that in this
- 12 A. It was a misunderstanding about the amount of remedial
 13 work to be done on the courthouse, and that lawsuit s
 14 been settled.
- Q. Very good. Thank you. Mr. Chairman, that s all I have.
- 17 CHAIRMAN ALEXANDER: Questions of Mr. Britt?
- 18 | EXAMINATION BY CHAIRMAN ALEXANDER:
- Operations first off. Mr. Britt, obviously I read your letters of recommendation. One s from Lib Flemming, who actually served on the Public Service Commission with great distinction in her period of service. I assume you we had a conversation with her as far as what the responsibilities, duties and time

- commitment. Have you had a conversation with her about that?
 - A. Yes, sir. Mr. Chairman, I had that actually last summer when I was first approached. Lib and I go to church together and, you know Lib, and her husband has passed away. So, yeah. She gave me great detail and she was very helpful.
 - Q. Again, I notice that one of your others is an immediate past representative Max Hyde.
- 10 A. Yep.

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- 11 Q. He remarks about you as well.
- 12 A. Max, I ve known him since he was a young lad and,
 13 yeah, his mom put up a sign in my yard when I think
 14 Max was a teen -- probably 24 years old, so yeah.
 15 I ve been very involved in Max s life and his
 16 political career, too. Gave me advice. It s good.
 - Q. I do want to -- a couple of things. You know, obviously you re a long-time elected official. You re used to working with constituent matters as well as economic development, and especially I want to focus on the constituent matters. Are you able to -- are you confident in your ability to comply with ex parte rules under -- that are required under being a commissioner versus a constituent service from that standpoint? How would you handle that?

- A. I look at myself, you know, more as an arbiter now.

 Hearing the case, getting, you know, the facts. Not

 getting into the role of the ORS. I think that s

 their role, you know, representing the claimant or,

 you know, the business or the person. I m to hear the

 case and the facts, and make a decision.
 - Q. Who is responsible for establishing the state s public policy of matters within the commission s jurisdiction?
- 10 A. I think the PURC committee.
- 11 | Q. And the legislature?

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- 12 A. And the legislature. Yeah.
- 13 CHAIRMAN ALEXANDER: Any further questions? Senator 14 Rankin.

MR. RANKIN: I just want to compliment you and the letters of reference that have been offered by you, both of which called out, in addition to others, and to your testimony here today and your youthful embrace of a tough, tough field. You have studied it and you have -- you re comfortable, at least, describing these terms. Many of us who have been at this a long time have to be reminded what all of this stuff means, but to the big picture and your desire to embrace this, I commend you, sir. And I look forward to your knowledge as being able to recount the canons of ethics, but to live it out as you have thus far

1	done beautifully in your walk in Spartanburg. So no
2	comment required, just compliments to you, sir.
3	MR. BRITT: Thank you, Senator Rankin.
4	CHAIRMAN ALEXANDER: Further questions? Okay. So
5	this will conclude your portion of the screening process.
6	However, I do want to remind you of the variant criteria
7	and pursuant to that expect that you as a candidate will
8	follow the spirit as well as the letter of the state s
9	ethics laws. Any violation or appearance of impropriety
10	on your part would be deemed very serious and potentially
11	warranting us calling you back for further questions. Do
12	you understand this?
13	MR. BRITT: Yes, sir, Mr. Chairman.
14	CHAIRMAN ALEXANDER: Very good. Thank you for being
15	here. I wish you a happy Easter.
16	MR. BRITT: Happy Easter to you all. Thank you.
17	PUBLIC SERVICE COMMISSION SEAT 6:
18	JUSTIN T. WILLIAMS (COLUMBIA)
19	CHAIRMAN ALEXANDER: We will now go to Commissioner
20	Justin T. Williams, and he will join us momentarily. Good
21	afternoon, Commissioner Williams.
22	COMMISSIONER WILLIAMS: Good afternoon, Mr. Chair.
23	CHAIRMAN ALEXANDER: Good to see you, sir. If
24	you d be kind enough to raise your right hand for the
25	oath. Do you swear to tell the truth, the whole truth and

1 nothing but the truth so help you God? 2 COMMISSIONER WILLIAMS: Yes, sir. 3 JUSTIN T. WILLIAMS, having been first duly sworn, was 4 examined and testified as follows: 5 CHAIRMAN ALEXANDER: Okay. Good to see you. Thank 6 you for being here. We have thoroughly investigated your 7 qualifications to continue to serve on the Public Service 8 Commission. Our inquiry focuses on your qualifications as 9 set forth in the South Carolina Code Section 58-3-20. 10 includes a thorough study of your application materials, 11 verifications of your compliance with state ethics laws, a 12 study of your -- any previous screenings by the review 13 committee, a check for economic conflicts of interest and 14 a written examination. Review committee has received no 15 formal complaints filed in opposition to your election. 16 Would you like to make a brief opening statement? 17 COMMISSIONER WILLIAMS: Thank you all for having me. 18 I m happy to be here. 19 CHAIRMAN ALEXANDER: I m going to recognize -- I 20 want to recognize Mr. John to go over some questions with 21 you. 22 EXAMINATION BY MR. JOHN: 23 0. Good afternoon, Commissioner Williams. I have good 24 morning here on my sheet, but we have run into the 25 p.m. hours, so in that regard I will be as brief as

- possible, but still get a thorough conversation with you. Can you please state your full name and current address for the record?
 - A. Justin Thomas Williams, [REDACTED]
- Q. Thank you. You have your personal data questionnaire there. Do you need to make any edits to that at this time?
- 8 A. No, sir.

- 9 Q. Do you have any objection to it going into the record?
- 10 | A. No, sir.
- 11 | Q. Thank you. We will place that into the record.
- 12 (EXHIBIT NO. 5 WAS MARKED FOR IDENTIFICATION PURPOSES
 13 (13 pages) PDQ WILLIAMS)

14 And a brief background, Mr. Williams MR. JOHN: 15 attended University of South Carolina. Got a Bachelor of 16 Arts in Public Relations in 2006 and his J.D. from the School of Law, USC School of Law, in 2010. 17 In 2015, he 18 completed the Judge Advocate Officers basic course and 19 just recently in May of 2024, Commissioner Williams earned 20 a Master of Environmental Management degree from Duke 21 University. Following law school, Commissioner Williams 22 worked for the 5th Judicial Circuit from 2011 to 2013, and 23 then again from 2015 to 16. In the interim there, he was 24 an associate with Willson Jones Carter and Baxley, before 25 working at Moore Bradley Myers from 2017 to

- 1 | Commissioner Williams, as I mentioned, is a Judge
- 2 Advocate. Service began in 2015. He has served on the
- 3 | Public Service Commission for District Two since 2018.
- 4 District Six, excuse me, since 2018. He was Chair of the
- 5 | Commission from 2020 to 2022, and currently serves as Vice
- 6 Chair. He s a member of the National Association of
- 7 | Regulatory Utility Commissioners, Richland County Bar
- 8 | Association, South Carolina Bar Association and the South
- 9 | Carolina Black Lawyers Association. He is a member of
- 10 Downtown Church, Kappa Alpha Psi fraternity and Sigma Pi
- 11 | Phi fraternity. Mr. Williams also currently owns and
- 12 operates a small family farm in Aiken County. A
- 13 | background check of Commissioner Williams indicated no
- 14 | criminal record, and a review of his credit report
- 15 | indicated no negative information.
- 16 Q. Mr. Williams, are you a registered voter?
- 17 A. Yes, sir, I am.
- 18 Q. In what congressional district are you registered?
- 19 A. The Sixth Congressional District.
- 20 | Q. At the Commission, can you describe what an ordinary
- 21 | work day looks like for you?
- 22 | A. Here recently, every day is a little bit different.
- 23 There s a standard schedule, I would say. The
- 24 | standard schedule; Monday, we usually have briefings
- 25 for our scheduled commission business meeting, which

currently is held on Thursdays at 1:00. So the week - the way I schedule my week is based on what is
coming before the commission. So if it s just a
business meeting that we have, on Monday I start going
through the legal advisory memos that we receive from
staff and compare them to my notes on the matters that
are scheduled to appear before us. And we re working
through those issues individually and collectively
leading up to Thursday. And then Friday we reset to
start that process again. If we re in a hearing, a
hearing usually takes precedent where we re studying
prefiled testimony and also reviewing witness
testimony and notes, as they testify before us for
that matter. And then again, always preparing to work
up to that decision for the hearing.

- Q. Thank you. And that was -- my next question was going to be, how do you prepare for a hearing and how long do they typically take, but it was succinctly answered those two. So I ll ask you; what type of contact do you have with commission staff outside of hearing preparation?
- A. So standard -- so there s standard contact for that Monday briefing. That s standard across the board.

 There s also standard briefings for all proceedings, probably say most proceedings not all, but the vast

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majority of proceedings there s a standard briefing packet that s completed in writing and then also presented to the commissioners. And then if there s additional questions or just discussions that I want to have regarding the issues we re facing, then I will reach out to the appropriate staff members.

- Q. Please explain the general rule regarding ex parte communications as it relates to the commissioner.
- Thank you for that. So in general, any matter that is Α. pending or may reasonably come before the commission in the future should not be discussed outside of the parties to that matter. And the way that I implement that or the way I live that rule is to not discuss commission matters with anyone outside of the commission or outside of a hearing or a proceeding. If you dive in a little bit deeper, you have two forms of ex parte -- prohibitive ex parte communication. You have inadvertent ex parte communication that could happen, maybe at church or on the street. Someone may bring issue before you or bring a issue up to you regarding the issue that s currently pending. case, you self-report. I would go through the executive director and then we would let the parties know, and then go from there. And then there s willful ex parte communication and my reading of the

statute is usually that drills down to communication that occurs regarding a pending matter 10 days prior to that matter going to hearing, during the hearing or 10 days after the conclusion of that matter. And in that case, that willful violation has criminal penalties that I believe the ethics commission addresses. But also in that event, those violations are supposed to be reported to you all, the PURC. And if a party seeks some level of remedial relief because they feel as if they we been a victim of ex parte communication or somehow disadvantaged, they can seek such relief from the Administrative Law Court.

- Q. If you were in a situation where someone approached you wanting to discuss a matter that was before or you thought might be coming before the commission and were doing so in a very persistent manner, how would you handle that situation?
- A. So my natural personality, the way I show up, is somewhat direct. And since I ve been a commissioner, I ve had to tell my family and friends, especially as it relates to rate cases that are highly publicized, that I cannot talk about such matters. And I sort of -- say if it s a family reunion or Sunday dinner, it can be awkward at times, but I sort of walk in and say hey I can t talk about the rate case. And I ve done

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it so much, so now that it s a running joke because my mother and father say hey Justin can t talk about the rate case. So that s the way that I try to lead into those conversations with family and friends, and even folks that I speak to, just to keep it -- to try to keep things simple because I m responsible for managing my conduct, and most people just have no idea about the rules of ex parte communication as it relates to commissioners. They see me in a light where I m supposed -- this -- I m supposed to talk to them about these issues and explain them to them and so forth, and so on. And I try to, in the kindest way, and most direct way possible just let them know what the rules are and explain the liability for me and potentially for them.

- Q. Great. Thank you. How would you describe what you consider to be an appropriate demeanor or temperament for a commissioner?
- A. Well, I try to remain -- maintain a very solemn demeanor and in formal environments or just with family and friends I can be a bit of a jokester, silly like to laugh, have a good time. And so because I know I m going to be on a dais, I try to maintain a solemn demeanor, but also have somewhat of a sense of humor. I think patience is a must, also treating all

- parties that come before us with dignity -- basic
 dignity and respect. And I think it s also necessary
 if you re in a leadership position to keep order in
 the hearing room.
 - Q. You re aware that commissioners are subject to the Judicial Code of Conduct and State Ethics Laws, correct?
 - A. Yes, sir, I am.

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- Q. Could you just briefly in kind of in your own words describe the five canons of the Judicial Code of Conduct and more of the spirit of those five canons?
- Α. Yes, sir. So I can t tell you that I ve memorized the five canons to be able to recite them to you, like say a Bible verse, but generally speaking I ll start with the spirit. The spirit of the Code of Judicial Conduct is to ensure that the public can have faith and full confidence in their judges to be independent, to have a high level of integrity and character, and to remain neutral and impartial and not have -- not show any form of bias towards a litigant or a party that may appear before them. And to effectuate that, if you will, the Code of Judicial Conduct requires judges to, in this case commissioners, to present themself in that way at all times. So not just at the commission, but also in their personal lives. So as

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it relates to organizations as a commissioner, I can t be a member of any organization that may be known to have any level of bias towards any group or entities. As it relates to my personal finances, I m responsible for keeping my finances in order. As it relates to political activity, I m prohibited from participating in any level of political activity, and that s defined in the Code of Judicial Conduct. As it relates to doing my job, I m responsible for being diligent and to do my work in a timely manner, and also ensure that those under my supervision do the same and maintain the same level of independence and impartiality. Criminal behavior is prohibited and in the event that a serious crime, if I were accused of a serious crime, I would need to report that activity. That s just, and obviously I would say the ex parte communication is prohibitive as well.

- Q. Great. Thank you. Are you familiar with the review committee s advisory opinions that have been issued regarding attendance at legislative receptions, caucus meetings, political gatherings?
- A. Yes, sir. Those are -- you provided those to us in the information packet, and they re also readily available on PURC s website.
- Q. Great. Thank you. Have you attended any legislative

- receptions or legislative caucus meetings since you submitted your application?
- 3 | A. No, sir.
- 4 | Q. How about any political gatherings during that time?
- 5 | A. No, sir.
- Q. Regarding conflicts of interest, I have a series of questions. Are you or immediate -- or a member of your immediate family employed by a utility regulated by the PSC now or in the last two years?
- 10 | A. No, sir.
- Q. You or a member -- do you or a member of your immediate family have stock or other financial interest that is directly controlled by you?
- 14 | A. No, sir.
- Q. Okay. I have a question in regards to stock in a -stock or financial interest in a utility regulated by
 the PSC?
- 18 | A. No, sir.
- Q. Okay. Just making sure. Are you or a member of your family an officer or a director involved in the management of any business enterprise?
- 22 A. Other than me running our farm, no, sir.
- Q. Okay. What entities did you or a member of your immediate family receive income from within the previous year?

- 1 | A. From for me, my role as a commissioner. I received
- 2 the salary. In my role as a Judge Advocate, an Army
- Reserve officer, I received a salary. And then my
- 4 | wife received a salary from AgFirst Financial Bank, I
- 5 | believe it s called. Or financial -- AgFirst Farm
- 6 Credit Union.
- 7 | Q. Okay. Thank you. If re-elected would there be any
- 8 potential conflicts of interest, financial or
- 9 otherwise?
- 10 | A. No, sir.
- 11 | Q. What would you do if a conflict arose?
- 12 A. I would -- I run things through our executive director
- and then they re filtered throughout to you all.
- 14 Q. Do you belong to any organization that discriminates
- 15 based on race, religion or gender?
- 16 | A. No, sir.
- 17 | Q. Are you affiliated with any political parties, boards
- or commissions that would need to be re-evaluated if
- 19 you were nominated and re-elected?
- 20 | A. No, sir.
- 21 | Q. Have you made any contributions to members of the
- 22 General Assembly since filing your application?
- 23 | A. No, sir.
- 24 Q. Have you sought or received a pledge from a member of
- 25 | the legislature during this time?

- 1 A. No, sir.
- 2 Q. Have you sought or been offered a conditional pledge
- 3 from a member of the General Assembly?
- 4 | A. No, sir.
- 5 Q. Have you asked any third parties to contact members of
- 6 the General Assembly on your behalf?
- 7 | A. No, sir.
- 8 Q. Are you aware of any friends or colleagues who may
- 9 have done so on their own accord?
- 10 | A. No, sir.
- 11 Q. Are you familiar with the 48-hour rule, which
- 12 prohibits a candidate from seeking pledges for 48
- hours after the report has been submitted to the
- 14 General Assembly?
- 15 A. No, sir.
- 16 Q. Are you familiar with that rule? The 48-hour rule?
- 17 A. Oh, yes, sir. I am familiar with it. I m sorry.
- 18 Q. Mixed it up on you. And if you were re-elected, would
- 19 you plan to serve a full term?
- 20 A. Yes, sir.
- 21 Q. Thank you, Commissioner Williams.
- 22 MR. JOHN: Mr. Chairman, I would note for the record
- 23 | that Commissioner Williams exam score was an 88, and
- 24 | pursuant to the committee s earlier motion to meet in
- 25 | executive session with each candidate, would you like to

do that at this moment? 1 2 CHAIRMAN ALEXANDER: It would be appropriate for us 3 to go in executive session. Clear the room. 4 [EXECUTIVE SESSION FROM 12:28 - 12:37] 5 CHAIRMAN ALEXANDER: We continue on with 6 Commissioner Williams for the Sixth Congressional 7 District. We re out of executive session and back in open 8 session. There were no actions taken or votes taken while 9 we were in executive session. I continue to recognize Mr. 10 John. 11 Thank you Mr. Chairman. MR. JOHN: 12 EXAMINATION CONTINUES BY MR. JOHN: 13 Mr. Williams in your personal data questionnaire you 14 reported involvement in four legal matters. I ll ask 15 you about each one. If you could just briefly tell us 16 the disposition and any additional details we need to 17 know that aren t contained in your personal data 18 questionnaire. The first was in 2009 when you sued 19 the State of South Carolina and Governor Mark Sanford 20 over the release of improper funds. Is there anything 21 additional to provide on that? 22 No, sir. Α. 23 Okay. Thank you. In 2016, you filed suit against Q. 24 Edgar Peacock for unfair trade practices. This was

Any

related to a dental procedure you had done.

additional information?

A. No, sir. We settled.

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- Q. You settled? Okay. Very good. Thank you. Finally, there were two legal matters arising from a car accident in 2017. You were not the at-fault driver. You filed suit for damages against the at-fault driver. That one was pretty straight forward. And then in connection to that incident you filed suit against an auto repair company regarding the release of the fees. Briefly tell us about that and how it
- A. Yes, sir. Bottom line up front, the tow truck company retained the vehicle longer than necessary. They received a sufficient payment from the at-fault driver s insurance company for towing the vehicle and storing the vehicle. They wanted additional payment and I filed a action for claim and delivery.
- Q. Great. Thank you.

was resolved.

- 19 MR. JOHN: Mr. Chairman, that s all I have.
- 20 CHAIRMAN ALEXANDER: Any questions? Okay.
- 21 | EXAMINATION BY CHAIRMAN ALEXANDER:
- Q. Just a couple for you. Commissioner, again, we thank
 you for your service and service to our country. What
 information do you rely on for your decisions in
 commission matters?

A. The evidence of record.

- Q. And how do you as a commissioner ensure that not only members, but the staff comply with the ex parte rules?
- A. So for me, I rely heavily on the annual training that all commission employees receive regarding ex parte communication and the Code of Judicial Conduct and self-study. And then for my colleagues and commission staff, I pretty consistently remind everyone that we re governed by the rules of ex parte communication, which is really -- is not something that -- it s not something that I talk about as much as the Code of Judicial Conduct as it relates to our decisions, but when necessary I bring those both set of rules to my colleagues attention and commission staff.
- Q. And would you briefly describe your vision of what the role of the Office of Regulatory Staff is in matters before the commission?
- A. Well, in my words, I would describe the Office of
 Regulatory Staff using my prosecutorial experience or
 criminal law experience as the solicitor responsible
 for representing the public interest. The solicitor
 represents the citizens of said counties. The Office
 of Regulatory Staff represents the public interest and
 they have a statutory definition for what that is.
 Those using and consuming public utilities regardless

1 of customer class, so that s residential rate payers, 2 commercial and industrial. And so they re advocates 3 for the public interest. They take positions in 4 They negotiate settlements. They do a host of 5 things outside of the realm of the commission even. 6 And so their role, I think in one word, is advocate. 7 CHAIRMAN ALEXANDER: Are there questions by members? 8 This will conclude this portion of your screening process. 9 I will remind you that we expect all candidates to follow 10 the spirit as well as the letter of the state ethics laws. 11 Any violations or appearance of impropriety on your part 12 would be deemed very serious and potentially warranting us 13 calling you back for further questions. Do you understand 14 this? 15 COMMISSIONER WILLIAMS: Yes, sir. 16 CHAIRMAN ALEXANDER: Very good. Thank you for being 17 with us today. Thank you for your service. 18 COMMISSIONER WILLIAMS: Yes, sir. Thank you all. 19 Enjoy lunch. 20 CHAIRMAN ALEXANDER: Members of the committee, this 21 concludes the screening, I believe, Mr. John, of all the 22 candidates for districts two, four and six. 23 entertain a motion that we go into executive session to 24 discuss potential employment pursuant to 34-78-1. Motion 25 by the Senator in Orangeburg; seconded by the senator --

1 former Senator for Greenwood. Any objection going into 2 executive session? Hearing no objections, we will go into 3 -- I ll just do a vote. All in favor say aye. 4 GROUP: Aye. 5 CHAIRMAN ALEXANDER: Okay. Aye s have it. We ll go 6 into executive session. [EXECUTIVE SESSION FROM 12:42 - 12:48] 7 8 CHAIRMAN ALEXANDER: Okay, we're back in regular 9 For the record, there were no actions taken and 10 no votes were taken during executive session. I do want 11 to recognize and express our appreciation to our court 12 reporter, Ms. Donna Currey. Thank you for being with us 13 here to be a part of our proceedings today to assist us. 14 VOTING ON QUALIFICATIONS 15 CHAIRMAN ALEXANDER: At this time, it brings us to 16 votes on qualifications. I believe that we can consider 17 these candidates and whether we find them qualified or not 18 qualified. We're going to call the names of each 19 candidate by seats, and then I will ask for a show of 20 hands of those who wish to find the individuals qualified. 21 First is for Public Service Commission Seat 2, Ms. 22 Florence P. Belser. All those wishing to find Ms. Belser 23 qualified, please raise your hand. 24 All raise their hands. GROUP: 25 I vote yes, Mr. Chairman. MR. EDWARDS:

1	CHAIRMAN ALEXANDER: It s unanimous.
2	Mr. Richard N McIntyre, all those wishing to find
3	McIntyre qualified, please raise your hand.
4	GROUP: All raise their hands.
5	MR. EDWARDS: I vote yes.
6	CHAIRMAN ALEXANDER: Mr. Edwards votes aye, and so
7	does Rankin vote yes.
8	Public Service Commission Seat 4, Mr. H. David
9	Britt, all those wishing to find Mr. Britt qualified,
10	please raise your hand.
11	MR. EDWARDS: I vote yes, Mr. Chairman.
12	CHAIRMAN ALEXANDER: Mr. Edwards votes yes. Senator
13	Rankin, all yes.
14	Public Service Commission Seat 6, Mr. Justin T.
15	Williams. All those wishing to find Mr. Williams
16	qualified, please raise your hands.
17	MR. EDWARDS: I vote yes, Mr. Chairman.
18	CHAIRMAN ALEXANDER: Mr. Edwards votes yes, Mr.
19	Gatch and Senator Rankin. That concludes us dealing with
20	finding the individuals qualified.
21	NOMINATIONS
22	CHAIRMAN ALEXANDER: The question before us then,
23	the next order of business is to nominate up to three
24	individuals for election for each seat. We'll follow that
25	same procedure if that suits everyone. First up is for

1 the Public Service Commission Seat 2, Ms. Florence P. 2 Belser. All those wishing to nominate Ms. Belser for 3 election by the General Assembly, please -- to be 4 nominated for consideration by the General Assembly, 5 please raise your hand. Including proxies and Mr. 6 Edwards, vote yes. I deem that a majority unanimous have 7 voted in favor of nominating Ms. Belser. 8 Further for Public Service Commission Seat Number 2, 9 Mr. Richard N. McIntyre. All those wishing to nominate 10 Mr. McIntyre for election by the General Assembly --11 consideration by the General Assembly, please raise your 12 hand. 13 I vote yes, Mr. Chairman. MR. EDWARDS: 14 CHAIRMAN ALEXANDER: Proxy and Mr. Edwards votes 15 Mr. McIntyre is nominated by the Public Utility 16 Review Committee. Further for consideration is Public Service 17 18 Commission Seat Number 4, Mr. H. David Britt. All those 19 wishing to nominate Mr. Britt for election by the General -- consideration by the General Assembly, please raise 20 21 your hand. 22 I vote yes, Mr. Chairman. MR. EDWARDS: 23 CHAIRMAN ALEXANDER: Edwards votes yes, 24 Representative Gatch and so does Rankin. 25 That takes us to the Public Service Commission Seat

1	Number 6, Mr. Justin T. Williams. All those wishing to
2	nominate Mr. Williams for consideration by the General
3	Assembly, please raise your hand.
4	MR. EDWARDS: I vote yes, Mr. Chairman.
5	CHAIRMAN ALEXANDER: Mr. Edwards votes yes. Mr.
6	Gatch by proxy, and also Mr. Rankin. Both of those, Britt
7	is nominated and Mr. Williams has been nominated for
8	consideration for election.
9	So the review committee has voted as qualified and
10	nominated for election the following: Ms. Florence P.
11	Belser for the Second Congressional District, Mr. Richard
12	N. McIntyre for the Second District, Mr. H. David Britt
13	for the Fourth Congressional District, Mr. Justin T.
14	Williams for the Sixth Congressional District. There's no
15	other business that I'm aware of to come before the Public
16	Utility Review Committee today, or is there any other
17	business?
18	SENATOR HUTTO: Motion to adjourn.
19	CHAIRMAN ALEXANDER: I have a motion to adjourn.
20	MR. NICHOLSON: Second.
21	CHAIRMAN ALEXANDER: Second. All in favor, say
22	aye.
23	GROUP: Aye.
24	CHAIRMAN ALEXANDER: Opposed no. The ayes have it.
25	We stand adjourned. Thank you.

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     (There being nothing further, the hearing concluded at
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     12:54 p.m.)
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1	CERTIFICATE OF REPORTER
2	
3	I, DONNA CURREY, COURT REPORTER AND NOTARY PUBLIC IN
4	AND FOR THE STATE OF SOUTH CAROLINA AT LARGE, HEREBY
5	CERTIFY THAT I REPORTED THIS HEARING ON THE 17TH DAY OF
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9	COUNSEL FOR, NOR RELATED TO OR EMPLOYED BY ANY OF THE
10	PARTIES CONNECTED WITH THIS ACTION, NOR AM I FINANCIALLY
11	INTERESTED IN SAID CAUSE.
12	I FURTHER CERTIFY THAT THE ORIGINAL OF SAID
13	TRANSCRIPT WAS THEREAFTER SEALED AND DELIVERED TO VICTOR
14	BREEDON JOHN, IV, ESQ., S.C. SENATE JUDICIARY COMMITTEE,
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17	RESPONSIBLE FOR FILING SAME WITH THE COURT PRIOR TO TRIAL
18	OR ANY HEARING WHICH MIGHT RESULT IN A FINAL ORDER ON ANY
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20	IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS
21	21ST DAY OF APRIL, 2025.
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23	
24	DONNA CURREY, COURT REPORTER
25	MY COMMISSION EXPIRES OCTOBER 17, 2033

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