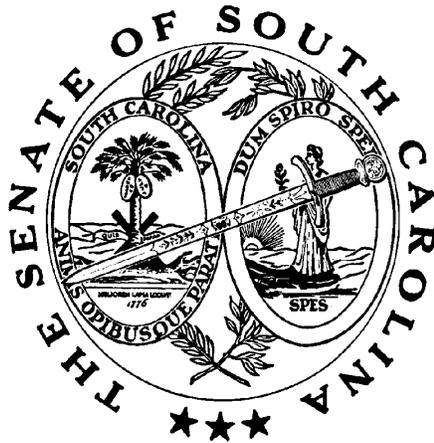


NO. 68

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

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FRIDAY, MAY 3, 2024

**Friday, May 3, 2024**  
**(Local Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator HARPOOTLIAN.

**ADDENDUM TO THE JOURNAL**

The following remarks by Senator MASSEY were ordered printed in the Journal of April 16, 2024:

**Remarks by Senator MASSEY**

Mr. PRESIDENT, I wanted to take just a couple of minutes and talk about something that has been getting a lot of attention recently. And that is the Energy Legislation. It came out of full committee last week. Unfortunately, I was not able to be at that committee meeting. I have had a number of people who came to speak to me about this, and I listened to part of the committee meeting, such as it was. As somebody who spent a lot of time on this issue, Senator SETZLER, in 2017, 2018, 2019, 2020 and 2021, my initial thoughts are that I do not question that South Carolina is going to need more energy. Now, I do think we need to change the trajectory on some of our economic development issues. I do not know why we are recruiting data centers that are just electricity hogs and are not providing a whole lot of jobs. That is one of the issues we have here. It's something we need to look at and have conversations with the Department of Commerce and the locals about. But while I do not question the need for more energy, I have a bit of a question about whether we need to generate it versus buy it. I can probably get there on the generation issue. I am okay with gas, so that does not bother me much. I am probably okay with Dominion and Santee Cooper working together, although I've seen that movie, y'all, and we have to be careful. We need to have a lot more oversight than the little bit they have written in. I think there needs to be a lot more oversight -- not only of that partnership -- but also the MOU that they signed in the beginning. Because, Senator SETZLER, the MOU last time got them in trouble -- and that happens on the front end. So, I think we need to look at that, but I can probably get there eventually.

I have two real issues. First, I have no interest at all in rolling back the regulatory protections that we put into place in 2018. I have no interest

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in that at all. That is a “no deal” for me. I have no interest at all in weakening the Public Service Commission. That's a big problem for me. This Bill has efforts to do both of those things. I am not going to be a part of that, and I will fight that. But there is one other issue that I have a real problem with, that I do not think has been talked about a whole lot and that is Dominion and Santee Cooper, Santee Cooper especially, needing Canadys because they did not finish VC Summer. If they had finished VC Summer, they would have had enough generation capacity that they would not need Canadys. For those in the room who are Dominion customers, we have already been paying for VC Summer. For the last five years, and for the next fifteen years, we will be paying for the costs of VC Summer, plus an additional 9.9% guaranteed profit on top of it. That one still burns me. The fact that I am paying a profit for that fraudulently failed plant burns me, and the fact that I am going to be paying it for the next fifteen years burns me still. Now the Santee Cooper and electric co-op customers, you have not gotten hit with that yet, but it is coming in January. Your electricity rates are going to increase beginning in January because you are about to get hit with VC Summer. Now, the good thing for you is you do not have to pay the profit like I have to pay. But you are still going to have to pay the costs of a failed nuclear plant that you were defrauded on. If they build Canadys, they are going to want us to pay for the cost of that construction and a profit on top of it. Y'all, I have a real problem with the fact that I am expected to pay for the cost and a profit on VC Summer and the cost and a profit on Canadys. I don't need them both. I'm not going to get them both and that's a real problem for me. The people in South Carolina need to understand that what is being asked here is that if you are a Dominion customer, if you are a Santee Cooper direct customer, if you are an electric co-op customer, you are being asked to pay for not only the construction of, but a profit on, two power plants, and you will only get the use of one of them. We need to have that conversation about what is going to happen there.

Mr. PRESIDENT, I do not like that something this important comes out in mid-April with the push, “We've got to get it done, we've got to get it done.” I think that is also a real problem. And I've heard, “Well, if we don't do this, the lights may go out.” They are not going to hold that over my head. Senator SETZLER, you and I have talked a lot over the last few years -- and some of the other people have heard too. There were a number of times in 2017 and 2018 that I remember you and I had conversations when I said, “Senator, I think they're bluffing; but, if I'm

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wrong, this could be bad.” Fortunately, every time we called the bluff, it worked. On this point though, I am not going to be held hostage by people saying if you do not give us exactly what we want when we want it, we are going to turn the lights out on you. We should not play that game. And then I hear well if you do not authorize us to do it by the end of the year, we are going to do it on our own anyway. There's a lot more that goes into building a power plant than just saying we are going to do it. There are a lot of hurdles they will have to jump through.

So, here's my request. I think energy is extremely important. It's important not only to those of us here now, but also for the long-term future of South Carolina. Dominion, Santee Cooper, Duke -- those are our power players. It is important that we deal with the issue. And it is crucial that we get it right. And because it is important that we get it right, my recommendation is that we spend a lot of time over the fall working on this issue. So, Mr. PRESIDENT, I am recommending that we take time in the fall to really delve into this issue. We should have public testimony and sworn testimony from the players. Also, nobody knows what it is going to cost yet. To my knowledge, they have not divulged any of the cost projections, and they certainly have not combined that with what customers are already paying for VC Summer. Senator SETZLER, we had a number of hearings over the fall of 2017 and into 2018, while the merger hearing was going on over at the Public Service Commission. Mr. PRESIDENT, I think we might all even have to consider a specially appointed committee like we had in 2017 and 2018 to fully vet and evaluate these proposals, to make sure that we are getting the right talent -- the right Senators on this committee -- members who will be the most inquisitive and will devote the proper attention to this important issue. Because it is that important of an issue. I'm requesting that we deal with this over the fall, and we come back next year and figure out the best way to move forward. Now, I would also even suggest because of some of the threats that I have been hearing, that we ought to pull up this Bill and we ought to strip it; and then we ought to tell the Public Service Commission that they can neither accept nor entertain any type of applications to build a new generating facility over the interim. I will be very candid. I don't trust Richmond. I didn't trust them in 2017 or 2018. I don't trust Richmond now. It would not surprise me at all if they try to do something on their own and they try to skirt in below us. I don't doubt that they would try to do that. So, if we need to pass something to tell the commission that they cannot accept applications for a new generating facility for the next eight or nine months, that they

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cannot entertain any applications already filed -- if something gets filed before us -- then I think we ought to entertain that. But if we are going to take this seriously and if we are going to do it right, we need to spend time on it. I think that time needs to be in the fall, and we need to have the right people, Mr. PRESIDENT, devoted to that consideration so that we can get this right. If we get it wrong, it could prejudice us for a long time, and it also is going to have people paying a lot more money than they ought to have to pay. And just to be candid with South Carolina, I don't know that there is a way that you're not going to have to pay for two plants. But I think we need to do our homework. We need to make sure that we can drive it down as much as possible to make sure that South Carolina is protected from a cost standpoint. It is very important that we do a good job with energy policy going forward. Thank you, Mr. PRESIDENT.

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**ADJOURNMENT**

At 11:04 A.M., on motion of Senator JACKSON, the Senate adjourned to meet next Tuesday, May 7, 2024, at 12:00 Noon.

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