

BOARD OF PUBLIC WORKS

2340 Main Highway · P.O. Box 1180
Bamberg, SC 29003-0780



Will Martin, Manager

METHODOLOGY AND PRACTICE NOTES FOR THE DISBURSEMENT OF FUNDS FROM THE COOKVS.SCPSA SETTLEMENT

Attached to this document is the original notice from the Cook vs SCPSA Class Action Administrator and a 2-page spreadsheet detailing the disbursement to Bamberg BPW and calculations relative to the \$/kwh refund due to BPW customers.

Of the Class Action Settlement, Bamberg BPW has received \$405,353.73 to date and is scheduled to receive a second payment from the Common Benefit Fund in the 4th quarter of 2022. The amount of the second payment is estimated to be \$179,142.67. This is the BPW apportioned percentage of the 2 remaining payments from Santee Cooper to the fund in the total amount of \$135,000,000. This number does not include interest earned on the fund in the interim or other miscellaneous items that may affect the total in the Common Benefit Fund at the time of final disbursement.

The Bamberg Board of Public Works will make a 1-time credit billing for electric utility accounts that were billed for service between January 1, 2007 and January 31, 2020. This billing will be for the total kwh billed during this time frame, less any credits previously applied, multiplied times the per kwh rate of \$0.00079244/kwh.

To streamline the refund process and to ensure that customers receive full refunds in a timely manner, The Board of Public Works is providing funds for the administrative costs and additional funds needed to make a 1-time credit billing for all refunds due based on the total estimated refund to the BPW from the Common Benefit Fund at this time. These funds will be reimbursed to the BPW from the second payment from the Common Benefit Fund. Administrative costs have been calculated at 15% and the total available to be refunded has been reduced by \$87,674.46. Interest accrued in the Common Benefit Fund and other items that may increase the total payout to the BPW are considered as interest paid to the BPW for the use of BPW on hand funds to fully fund the 1-time refund disbursement to BPW customers.

Commercial and industrial customers that paid sales tax on electricity during the refund period may seek a refund by requesting an "Assignment of Refund" from the Bamberg BPW and filing for the refund with the SC DOR. Most of the refund period is outside of the allowable period for a refund to be requested.

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Credits for the calculated refund amounts will be posted to customer accounts designated by Route-Location-Resident and aggregated (transferred to a single account) when a customer has/had accounts at multiple locations. Active customers will use the refund credit to reduce or eliminate a payment, or payments, until the account balance is greater than zero.

Inactive, Bad Debt, Dormant and Final Billed Accounts

Inactive, Bad Debt, Dormant and Final Billed Accounts will have a refund credit added to the current account balance. Refunds will reduce any amount owed the Bamberg BPW on that account and will be aggregated when a customer has/had accounts at multiple locations. Credit balances on all accounts will be used to reduce the amount owed Bamberg BPW on any and all accounts of the same customer or for which the same customer was responsible.

Inactive, Bad Debt, Dormant and Final Billed Accounts that have a credit balance after the steps above are taken will be handled as follows:

- A. Credit amount transferred to an active account of the same customer or an active account for which the same customer is responsible.
- B. A letter will be mailed to the last known address, advising the customer of the availability of a refund and steps to receive said refund for amounts \$25 or greater.
- C. Listing run in the local newspaper with the name of customers with refunds available for refund amounts of \$5.00 or greater.
- D. Listing run on BPW website with the name of customers with refunds available for refund amounts of \$5.00 or greater.
- E. Accounts with credit balances that go unclaimed by November 1, 2022 will be processed under the South Carolina Unclaimed Property Act

Approved by the BPW Commissioners on February 22, 2021.

Cook v SCPSA Class Action Administrator
PO Box 3127
Portland OR 97208-3127



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If you were a customer of Santee Cooper or one of the electric cooperatives in South Carolina at any time between January 1, 2007 and January 31, 2020, a class action lawsuit may affect your rights.

A court authorized this notice. This is not a solicitation.

A proposed settlement has been reached with South Carolina Public Service Authority (“Santee Cooper”) and its officers and directors; Dominion Energy South Carolina, Inc., f/k/a South Carolina Electric & Gas Company (“SCE&G”); Dominion Energy Southeast Services, Inc., f/k/a SCANA Services, Inc. (“SCANA Services”); SCANA Corporation (“SCANA”) and its officers and directors; Central Electric Power Cooperative, Inc. (“Central”), and Palmetto Electric Cooperative, Inc. (“Palmetto”) (collectively, “Defendants”) in a lawsuit concerning the construction of two nuclear units at the V.C. Summer site in Jenkinsville, South Carolina (the “Project”) for which Santee Cooper and South Carolina electric cooperative customers paid costs through their electric bills. The lawsuit was filed after Santee Cooper and SCE&G stopped construction of the Project. Plaintiffs allege, among other things, that Defendants breached various duties in the construction of the Project and improperly charged Plaintiffs advanced financing costs. Defendants deny the allegations in the lawsuit, but have agreed to settle.

This Notice advises you of your rights with respect to the proposed settlement, including your right to receive an automatic payment, your right to exclude yourself from the settlement, and your right to object to the settlement.

Who is Included? On March 17, 2020, the Court preliminarily certified (defined) the following Class of persons in this case.

All Santee Cooper residential, commercial, industrial, and other customers, both direct and indirect, who paid utility bills that included rates calculated, in part, to pay pre-construction, capital, in-service, construction, interest, and other pre-operational costs associated with the V.C. Summer Nuclear Reactor Unit 2 and 3 Project from January 1, 2007, through January 31, 2020.

This Notice is being sent to you based upon Santee Cooper and electric cooperative records indicating that you paid costs for the Project as part your electric bills from Santee Cooper and/or an electric cooperative during the Class period.

What Does the Settlement Provide? Pursuant to the proposed settlement, Defendants will provide benefits to the Class consisting of cash and prospective rate relief. SCE&G and Santee Cooper will provide a five hundred twenty million dollar (\$520,000,000.00) fund (the “Common Benefit Fund”) as follows: (a) SCE&G will transfer to, or cause to be issued to, the Escrow Agent a number of shares of Dominion Energy, Inc. common stock, without par value, equal to three hundred twenty million dollars (\$320,000,000.00)

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divided by the average daily adjusted closing price over the five trading days immediately preceding the transfer or issuance of the shares, and the Escrow Agent will sell the shares; and (b) Santee Cooper will pay two hundred million dollars (\$200,000,000.00) to the Common Benefit Fund in three (3) annual installments beginning in 2020, payable in the third quarter of each year, in the amounts of sixty-five million dollars (\$65,000,000.00), sixty-five million dollars (\$65,000,000.00), and seventy million dollars (\$70,000,000.00). Santee Cooper will also provide a rate freeze consistent with the rates projected in the Reform Plan submitted to the South Carolina General Assembly beginning in 2020 and extending through the end of 2024, with limited exceptions set forth in the Settlement Agreement available at www.SanteeCooperClassAction.com.

The Common Benefit Fund will be distributed to Class Members on a pro rata plan to be approved by the Court. Payments from the Common Benefit Fund will be made proportionately to Class Members in two distributions after deducting (1) attorneys' fees and litigation expenses approved by the Court; (2) certain administrative and tax expenses; (3) service awards to the Class Representatives and Named Plaintiffs approved by the Court; and (4) for any and all Class Members who submit valid Requests for Exclusion, the pro rata amount those Class Members would have received had they not chosen to submit such a request.

How Do You Get Benefits from the Settlement? If you are a Class Member and do not request exclusion from the Class (see below), and if the settlement is approved, for each distribution you will receive a payment *automatically* in the form of a bill credit if you are a current Santee Cooper or electric cooperative customer and your payment is less than \$25.00; in the form of a check if you are a current Santee Cooper or electric cooperative customer and your payment is at least \$25.00; or in the form of a check if you are a former customer.

Class Members who are current Santee Cooper or electric cooperative customers will also receive prospective rate relief as set forth above. This or other rate relief may also be mandated by the South Carolina General Assembly.

What Are My Other Options? If you do not want to be a part of the settlement, you must exclude yourself by **June 15, 2020**. If you exclude yourself, you will not receive any payments from the settlement (but current Santee Cooper and electric cooperative customers will receive the prospective rate relief), you may not file an objection to the settlement, you will not be bound by any determinations or any judgment made in this lawsuit, whether favorable or unfavorable, and you may attempt to pursue any claims you have against Defendants at your own risk and expense by filing your own lawsuit. If you stay in the Class, you have the right to object to the fairness of any aspect of the proposed settlement by **July 1, 2020**. The detailed written notice available at www.SanteeCooperClassAction.com or by calling 833-947-0894 explains how to exclude yourself or object.

The Court will hold a final hearing to consider the fairness and adequacy of this proposed settlement and to consider Class Counsel's Motion for Attorneys' Fees and Expenses on **July 20, 2020 at 10:00 A.M., Richland County Courthouse, 1701 Main Street, Columbia, SC 29201**. At this hearing, the Court will determine whether the Settlement Class was properly certified and whether the settlement is fair, adequate, and reasonable and should be finally approved, with judgment entered accordingly. You or your own lawyer, if you have one, are welcome to attend the hearing at our own expense, but your attendance is not necessary. Class Counsel intend to file a motion for attorneys' fees to be paid from the Common Benefit Fund in an amount not to exceed 15% of the Common Benefit Fund and expenses advanced by Class Counsel to be paid from the Common Benefit Fund in an amount not to exceed two million dollars (\$2,000,000.00). Class Counsel's Motion for Attorneys' Fees and Expenses must be approved by the Court. Class Counsel will also seek approval of Class Representative service awards of \$10,000.00 and Named Plaintiff service awards of \$2,500.00 to recognize their time, energy, and commitment during the litigation.

The descriptions in this Notice of the claims and settlement documents in this case are only summaries. If you have any questions or would like more information, including the detailed notice, please contact the Settlement Administrator by phone at 1-833-947-0894, by e-mail at info@SanteeCooperClassAction.com, or via www.SanteeCooperClassAction.com. You may also consult with your own attorney.

Please do not call the Judge, Clerk, or Court about this Notice or lawsuit. They will not be able to give you advice or answer your questions.

Cook Settlement \$ per kwh

YEAR	CONS - KWH
2007	49,562,054
2008	50,922,505
2009	48,671,765
2010	52,599,863
2011	49,725,603
2012	46,664,974
2013	44,864,807
2014	47,354,346
2015	46,315,284
2016	52,701,466
2017	43,812,988
2018	46,096,930
2019	44,540,697
2020	3,122,261
	626,955,543

First Payment - 11-2020	\$	405,353.73		69%
Second Payment - 11-2022	\$	179,142.67	Estimated see below	31%
Total of Settlement Payments	\$	584,496.40		

Administrative Costs - 15%	\$	87,674.46		
Finance Charge for 2 years on Second Payment + deferred Admin			Not Charged - deferred to actual interest accrued on portion of Fund	
Total deductions from Settlement Funds	\$	87,674.46		

Settlement Funds available for Disbursement	\$	496,821.94		
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Per kwh reimbursement calculations				
Settlement Funds available for Disbursement	\$	496,821.94		
Divided by				
Total kwh 1/1/07 - 1/31/2020		626,955,543		
\$/kwh for reimbursemet calculations	\$	0.00079244		

BPW Allocation of payout		0.00132698272343811	
First Disbursement Total	\$	305,470,239.24	
Santee Cooper #2	\$	65,000,000.00	
12 months interest		See Interest note above	
Santee Copper #3	\$	70,000,000.00	
Estimated Second Payment	\$	135,000,000.00	\$ 440,470,239.24
BPW Portion 2nd Payment	\$	179,142.67	
COOK Common Benefit Fund			
	\$	520,000,000.00	
Attorney Legal	\$	78,000,000.00	
Admin	\$	1,543,893.08	
Tech	\$	60,000.00	
Class Reps/Named	\$	35,000.00	
SEDC/NISC		?????	
Total Expenses	\$	79,638,893.08	
Customer Benefit Fund Dis	\$	440,361,106.92	\$ 109,132.32