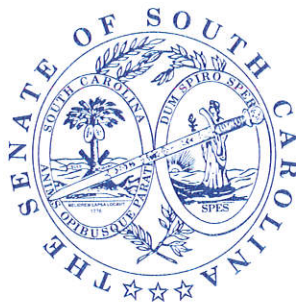


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December 8, 2020

The Honorable Luke Rankin
Chairman, Senate Judiciary Committee
101 Gressette Building
Columbia, South Carolina 29201

Dear Chairman Rankin,

As we approach the convening of the 2021 Session, it appears that we will again be dealing with efforts by NextEra to acquire Santee Cooper.

During the 2020 Session, the Senate, after consideration by the Senate Finance Committee and your Senate Judiciary sub-committee, rejected the NextEra proposal for acquisition pursuant to Act 95 of 2019. The House likewise chose not to accept the NextEra proposal and the Act 95 process has ended both as a matter of law and as a matter of fact.

I had hoped, with these decisions behind us, that we could devote our time and energy exclusively to considering and enacting meaningful reform of Santee Cooper in the upcoming Session. However, press reports suggest that we will take a step backwards, and, despite the absence of any authorized process for consideration of any acquisition, it appears we will again have to address legislative efforts of NextEra to acquire Santee Cooper.

In April of this year, Speaker Lucas made a wide-ranging request of Santee Cooper under the South Carolina Freedom of Information Act, S.C. Code 30-4-10 et seq. That appeared to me to be a prudent effort by the Speaker to gather all pertinent information from Santee Cooper regarding its Board members, law firms, consultants, or lobbyists and others employed or retained by Santee Cooper. It seems equally prudent that the General Assembly should endeavor to learn as much about NextEra, as that company continues to pursue acquisition of Santee Cooper.

NextEra of course is not subject to the Freedom of Information Act. However, it would appear unwise to even remotely consider selling an asset that impacts as many South Carolinians as does Santee Cooper without knowing all we possibly can about NextEra and especially about their efforts in support of this proposed acquisition. To that end, and with the goal of obtaining all pertinent information about NextEra's efforts to acquire Santee Cooper, I ask that you consider the following request as Judiciary Committee Chairman. I suggest that you request of NextEra, by subpoena if necessary, documents and information described below so that the Members of the Judiciary Committee and the entire Senate will have at least as much information about NextEra as we have about Santee Cooper.

- 40 From the date of July 31, 2017 to present day, any and all correspondence – whether by email, written letter, text or otherwise – to, from or between any NextEra officers, employees, lobbyists, public relations professionals, consultants or others retained by NextEra and any attorney retained or employed by NextEra to the extent that correspondence concerns any proposed legislation relating to Santee Cooper, whether such legislation was or will be actually introduced or not.
- 40 From the date of July 31, 2017 to present day, any and all correspondence – whether by email, written letter, text or otherwise – to, from or between any NextEra officers, employees, lobbyists, public relations professionals, consultants or any others retained or otherwise employed by NextEra and any Member of the General Assembly.
- 40 From the date of July 31, 2017, 2017 to present day, any and all correspondence – whether by email, written letter, text or otherwise – to, from, or between any NextEra officers, employees, lobbyists, public relations professionals, consultants or others retained or otherwise employed by NextEra and the Governor or any and all staff members of the Governor to include all employees of the Department of Administration.
- 40 From the date of July 31, 2017 to present day, any and all records indicating any telephonic, cellular, or text contact to, from, or between any NextEra officers, employees, lobbyists, public relations professionals, consultants or others retained or employed by NextEra and staff members of the South Carolina General Assembly.
- 40 From the date of July 31, 2017 to present day, any and all documents, memoranda, reports or other printed or written materials, regardless of form or format, produced for or at the request of NextEra, concerning any legislation proposed or supported by NextEra or any legislation that has been considered by the South Carolina General Assembly relating to the potential sale of Santee Cooper.
- 40 Any and all documents, memorandum, reports or other printed or written materials, regardless of form or format, produced for or at the request of NextEra that concerns any efforts, public or private, of NextEra in support of any effort to acquire Santee Cooper.
- 40 A listing of any and all law firms, consultants, or lobbyists, public relations professionals or other individuals employed or retained by NextEra in connection with, directly or indirectly, the potential acquisition of Santee Cooper by NextEra including a description of the services provided and copies of any contracts executed for these services as well as an indication of who authorized the retention or employment of the law firm, consultant, public relations firm or lobbyist or other individuals.
- 40 A listing of any and all law firms, consultants, public relations professionals, or other individuals that were subcontracted or otherwise retained or employed by any law firm, consultants, public relations professionals or other individuals that have been directly retained or otherwise employed by NextEra in support of the efforts of NextEra to acquire Santee Cooper.
- 40 From the date of July 31, 2017, 2017 to present day, a listing and amounts of all expenditures by NextEra or subsidiaries for all television and other media expenditures in connection with, directly or indirectly, efforts by NextEra to acquire Santee Cooper.

- From the date of July 31, 2017 to present day, a listing of all campaign contributions to any and all South Carolina political campaigns or political parties or to legislative or other political caucuses by NextEra or by any subsidiary or political action committee (PAC) or by any employee or person otherwise retained or employed by NextEra.
- From the date of July 31, 2017 to present day, a listing of all payments to any and all Chambers of Commerce, political blogs or social media entities, whether paid directly by NextEra or a subsidiary of NextEra or whether paid indirectly by any law firm, public relations firm or consultant on behalf of Nextera in support of, directly or indirectly, the sale of Santee Cooper.
- A listing of any and all payments made by NextEra, whether directly or indirectly by subsidiary or otherwise, to Members of the South Carolina General Assembly or to any entity with which any Member is affiliated.

Once this information has been obtained and we have had a chance to review it, I suggest invitations be extended to officers, employees and those retained by NextEra to appear before the Committee to answer questions.

I look forward to discussing this request with you the other Members of the subcommittee that considered questions regarding Act 95 earlier this year.

With kindest regards,



Stephen Goldfinch
SC Senate - District 34