

**STATE REGULATION OF PUBLIC UTILITIES REVIEW COMMITTEE**

**CANDIDATES FOR THE  
SOUTH CAROLINA PUBLIC SERVICE COMMISSION  
EDITED PERSONAL DATA QUESTIONNAIRE**

---

**NOTICE:** The information requested herein is needed to assist the Committee in its investigation of candidates for the Public Service Commission. This questionnaire is the initial step in the investigation of your candidacy. A completed questionnaire should be returned to the Committee as soon as possible, but in any event no later than noon, 12:00 p.m., on Friday, February 28, 2020. *(Use and attach separate sheets, if necessary.)*

---

**PLEASE SPECIFY THE SEAT FOR WHICH YOU ARE APPLYING (THE CONGRESSIONAL DISTRICT IN WHICH YOU RESIDE; YOU MAY ONLY APPLY FOR ONE SEAT):** \_\_\_\_\_ **District 7** \_\_\_\_\_

1. Full Name: Mr. Delton W. Powers, Jr.

Home Address: 500 Woodland Drive  
Unit # 35  
Florence, South Carolina 29501

Business Address: Powers Law Firm  
107 S. Parsonage Street  
PO Box 47  
Bennettsville, South Carolina 29512

6. List each institution of higher learning you attended, including dates of attendance and degrees awarded. Please provide an official transcript prior to your screening hearing. If you left any institution without receiving a degree, state the reason for leaving.  
University of South Carolina BS in Business Administration in Finance 1974  
University of South Carolina School of Law JD 1977

7. List any continuing education courses or other professional education or training programs that you have attended in the past five years.  
Numerous CLE's both through the Children's Law Center, the SC Bar, the South Association for Justice, the South Carolina Association of Criminal Defense Lawyers, and the South Carolina Supreme Court Commission on Lawyer Competence. (MCLE transcripts attached)

8. Have you been employed or held any position in any of the following areas?

- (a) energy issues
- (b) telecommunications issues
- (c) consumer protection and advocacy issues
- (d) water and wastewater issues
- (e) finance, economics, and statistics
- (f) accounting
- (g) engineering
- (h) law

Please provide the duration of your employment or service and details about the nature of the work or the position. Although never employed in these areas, I have had significant involvement that should be mentioned. I have been a practicing attorney since 1977, having handled many different aspects of law. Most of my work has been in the Courtroom, whether Civil or Criminal, including domestic cases. As to Water and Wastewater issues, that was one of the major issues we dealt with while a Member of the SC Coastal Council and the Office of Coastal Resource Management. That issue was certainly a consideration in practically all of the Permitting issues we dealt with.

Also as Executive Director of Legal Services of the Fourth Judicial Circuit, we provided attorneys in six counties, who provided legal representation to indigent people, in a wide range of areas, including consumer law and protection. The lawyers worked under my supervision advocating for poor people in several Courts. Also, as Director of Legal Services, I prepared a booklet called "Legal Services, A Different Kind of Law, a Different Kind of Lawyer. This was a 38 page overall look at problems facing low income clients including consumer law problems. The book was distributed throughout the Circuit, and is a precursor to a publication the SC Bar puts out now.

9. Have you served in the military? NO If so, give the dates of service, branch of service, highest rank, serial number, present status, and the character of your discharge or release. Please provide a copy of your DD-214 prior to your screening hearing.

10. Have you ever held public office? NO If so, provide details, including the office, whether elected or appointed, the length and dates of your service. Also, state whether or not you timely filed reports with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty. If so, provide details, including dates. I served on the South Carolina Coastal Council from 1985-1993. I was elected to that position by the legislative delegation from what was at the time the 6<sup>th</sup> Congressional District.

I was also elected and served on the Office of Coastal Resource Management when it was absorbed into DHEC under restructuring. This position too was election by the Legislature.

11. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, provide details, including dates.

I ran for Family Court Judge, Roving Seat #7, in 2017. I screened out successfully, went to a floor vote, and lost.

12. Please list in chronological order any employment of you by any governmental agency (whether full time or part time, contractual or at will, consulting or otherwise). Provide dates of employment, name of employer, name of supervisor, and major job responsibilities.

I have done contract work for DSS Child Protective Services for over 20 years, particularly for Marlboro County DSS. In recent years, I have handled difficult contested cases in several counties, mainly Termination of Parental Rights. The present supervising attorney would be Adrienne Woods, from York County DSS in Rock Hill, SC.

I also was Executive Director of Legal Services of the Fourth Circuit, which serviced six counties at that time. (1982-1984). This agency has now been absorbed into the Legal Services of South Carolina. The agency provided attorneys to handle indigent cases of all types. One of the areas we concentrated on and assisted people with was consumer issues, and consumer protection. I supervised over 30 lawyers in these counties that handled these cases.

I also was appointed by Governor McMaster in 2018 to be Magistrate in Marlboro County. I served in a part time position as Magistrate, handling Civil and Criminal matters until March of 2019. I resigned at that time in that continued service would require changing my residence to Marlboro County. I also began about the same time to begin the procedure to close my law practice in Bennettsville, Marlboro County.

13. Please list in chronological order any occupation, business, or profession in which you have been engaged or employed (other than serving in a public office or being employed by a governmental agency). Please briefly note the nature of your work during each period.

1978-1980 Assistant Solicitor for the Fourth Circuit. Prosecuted Criminal matters in General Sessions and Family Court. Also provided representation to DSS as was procedure at that time. Allowed to try major felony crimes including murder against very skilled and well known attorneys such as former Senator Jack Lindsay, and other firms in the 4th circuit.

1980-1982 Associate with John I. Rogers, III, Attorney, Bennettsville, SC. I handled mainly criminal matters, but worked in a general practice law firm. My partner was in the Legislature at the time so I had the management of the office and day to day dealing with clients. Our practice also involved a fairly heavy civil practice at the time when the opportunity came to run the Legal Services office listed next.

1982-1984 Executive Director of Legal Services of the Fourth Circuit. Hartsville, SC. Ran a 6- county Legal Services Organization. Recruited and supervised over 30 lawyers who worked under contract, supervised a staff of over 10, handled numerous types of cases for indigent clients in Family Court, landlord-tenant and other disputes, applied for grants for expansion and delivery of services and operations. Very helpful in learning government process, and in establishing relationships with lawyers and judges. The organization was very involved in Consumer Affairs matters, and I participated in and provided training for attorneys in consumer law.

1984-1992 Partner in Rogers and Powers, PA. Practiced Criminal, Civil and Family Law with then house member John I. Rogers, III. Opportunity to handle all types of trials, including appeals. We were involved with *State v. Blair*, a leading case which has been standard in criminal cases in South Carolina for determining a client's competency to stand trial. Developed a reputation for successful litigation and dedicated client representation.

1992-Present. Launched, managed and grew private law practice with criminal, civil, administrative and domestic matters. I had a very successful practice which allowed me to provide purposeful donations to civic, church and education groups. I endowed an initiative for Special Education teachers at Coastal Carolina, helped sponsor someone's schooling and pursuit of Seminary Education, and helped create and rebuild a theater for Marlboro County. Became a contract attorney for the Department of Social Services at that time and also served as Special Prosecutor for the Fourth Circuit under Solicitor's office with full responsibility for Marlboro County criminal cases, 1992-1998, concentrating on felony criminal cases. Reduced docket in 4 years from over a thousand cases to less than 200.

2002-2008. Combined my firm with a Coastal firm to create Joye, Locklair and Powers, with offices in Bennettsville and Murrells Inlet, SC. I handled Civil, criminal and Family Court matters, and continued to represent DSS. The firm also had an active real estate practice. I was also a mediator and handled mediation in Horry and Florence Counties. We had moved to Horry County for my autistic son's education opportunities, and moved back and disbanded firm after his graduation.

2009-2014 My daughter joined the firm, and it gave me a chance to continue to mentor and train young lawyers that I started while working in Murrells Inlet. I also have a son in law who is a practicing attorney who, along with my daughter, I have taken great joy in helping to develop both their skill and attitudes to the practice of law.

2018-2019 Magistrate, Marlboro County, served as part-time magistrate handling criminal and civil matters. Resigned in that continued service would require relocating my residence to Marlboro County.

I have in the last year been in the process of closing my firm. I am very interested in public service and that is the main reason I seek this position. My experience with the SC Coastal Council in permitting, regulation and judicial process is very similar to the type of work done by the Public Service Commission. My service with the South Carolina Supreme Court Commission on Lawyer Competence, sitting in hearings and judgement of other attorneys, is very much a judicial process that I have had the benefit of conducting.

14. Are you now an officer or director or involved in the management of any business enterprise? Explain. I am owner of Powers Law Firm, PC, and Powerful Properties, LLC. One is my law firm and the other is a family partnership that in the past was used to purchase real estate and rental properties. The only property in the LLC now is my law office in Bennettsville. I am also presently building two houses with a partner in Port Royal in Beaufort County, SC., for an investment and vacation use.
15. Describe any financial arrangements or business relationships that you currently have or have had in the past that could pose a conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest.  
I have none.
20. Have you ever been a named party in a lawsuit, either personally or professionally? If so, provide details.  
My ex-wife and I were named in a cross-claim by a Defendant realtor who was being sued for misrepresentation in the sale of a house we once owned. We counterclaimed against the realtor, and the claim against us was dismissed. The realtor settled with the homeowner. In return, we dismissed our counterclaim.  
I also was named as a Defendant, as Personal Representative of the Estate of David Redfearn. I served in that position as requested by the two attorneys handling a civil claim against the deceased, and someone had to be the Personal Representative. That case was settled and dismissed. 91-CP-34-209. This was discovered in my application for the Judgeship. I did not recall it, or remember such in that application.  
I am a Plaintiff in a lawsuit now in Darlington County involving an automobile accident where a driver ran a red light and hit my car on the driver's side. That case is being handled by Karl Folkens of Florence.
22. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code Section 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code Section 2-17-10(14)? If so, please provide the dates of your employment or activity in such capacity and specify by whom you were directed or employed. No



23. Since your decision to seek a position on the Public Service Commission, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value, as defined by S.C. Code Section 2-17-10(1), from a lobbyist or lobbyist's principal? If so, please specify the item(s) received, date of receipt, and the lobbyist or lobbyist's principal providing the item(s). No
26. Other than expenditures for travel or room and board, please itemize all expenditures (by amount, type, and date) by you, or on your behalf, in seeking the office of Public Service Commissioner. None at this time.
27. Please list the amount and recipient of all contributions made to members of the General Assembly within six months of filing this questionnaire.  
\$100 donation for party for Representative Patricia Henegan, Marlboro County, although it may have been more than six months. Several local people were having a party for Ms. Henegan, and I was asked to donate.
28. Have you directly or indirectly requested a pledge of any member of the General Assembly as to your election for the position for which you are being screened? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? No.
29. Have you or has anyone on your behalf solicited or collected funds to aid in the promotion of your candidacy for the position of Public Service Commissioner? If so, please specify the amount, solicitor (if applicable), donor, and date of solicitation and/or receipt. No
30. List all professional organizations of which you are a member and give the titles and dates of any offices that you have held in such groups.  
South Carolina Association for Justice, member, for many years, not sure of dates.  
South Carolina Association of Criminal Defense Lawyers, 4<sup>th</sup> Circuit Representative, and Sustaining Member, 2008-present.  
South Carolina and American Bar Associations, Member  
Member SC Bar Fee Dispute Committee, (Just resigned after 15+ years)  
South Carolina Supreme Court Commission on Lawyer Conduct, Member, for 10+ years but do not recall the dates.

31. List all civic, charitable, religious, educational, social, and fraternal organizations of which you are or have been a member during the past five (5) years.  
University of South Carolina Alumni Association  
St. Paul's Episcopal Church, Bennettsville, SC  
The Well by the Sea, Episcopal Church, Myrtle Beach, SC  
Staff, Episcopal Cursillo, Seabrook Island, SC
32. State any other information which may reflect positively or negatively on you, or which you believe should be disclosed in connection with consideration of you for a position on the Public Service Commission.  
I believe that my quasi-judicial experience with the South Carolina Coastal Council and subsequent board of Office of Coastal Resource Management is very much in line with the Public Service Commission duties.  
I also have extensive judicial experience as a member of the South Carolina Supreme Court Commission on Lawyer Conduct sitting as a Judge in these hearings. I have also in the past served as a Hearing Officer for the Department of Revenue, and continue to be appointed as a Referee by the Court of Common Pleas, serving as the Judge in many varied contested Civil matters.
33. List the names, addresses, and telephone numbers of five (5) persons, including your banker, from whom references could be required. Also, provide this Committee with original letters of recommendation from each person listed herein, including their signature. A photocopy, facsimile, or electronic submission of a letter of recommendation will not be accepted.
- 1) Banker Letter
  - 2) Douglas Jennings Jr.
  - 3) Mayor Steven Wukela
  - 4) Mr. J. Lynn McCants
  - 5) Hubbard W. McDonald

YOUR SIGNATURE WILL BE HELD TO CONSTITUTE A WAIVER OF THE CONFIDENTIALITY OF ANY PROCEEDING BEFORE A GRIEVANCE COMMITTEE OR ANY RECORD INFORMATION CONCERNING YOUR CREDIT.

I HEREBY CERTIFY THAT THE ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature:

Date:

---

***PLEASE NOTE: S.C. CODE SECTIONS REFERRED TO IN THIS DOCUMENT ARE CONTAINED IN THE PDQ CODE REFERENCES DOCUMENT.***

**I ACKNOWLEDGE, AS A CANDIDATE, THAT I AM RESPONSIBLE FOR REVIEWING THE FOLLOWING DOCUMENTS. THESE DOCUMENTS ARE PROVIDED ON THE USB FLASH DRIVE WITH THE PUBLIC SERVICE COMMISSION APPLICATION MATERIALS AND ARE ACCESSIBLE ON THE PUBLIC UTILITY REVIEW COMMITTEE'S WEBSITE:**

- (1) An Introduction to the Public Service Commission;**
- (2) The press release issued by the Committee announcing the start of its application process;**
- (3) An Advisory Opinion relating to attendance by candidates for the Public Service Commission at legislative receptions;**
- (4) An Advisory Opinion relating to attendance by candidates for the Public Service Commission at legislative caucus meetings;**
- (5) The Judicial Code of Conduct;**
- (6) Statutory definitions and statute concerning pledges; and**
- (7) Information regarding accessing your credit report.**

Signature:



**Date:**