



### **Hold Harmless Agreement**

This Hold Harmless Agreement ("Agreement") is dated the 6<sup>th</sup> day of October 2015 ("Effective Date"), between SCANA Corporation and its subsidiaries and affiliates, and the State of South Carolina ("the State") pursuant to Executive Order 2015-21. For good and valuable consideration the receipt of which is hereby acknowledged, the State agrees to indemnify and hold harmless SCANA Corporation, its subsidiaries and/or affiliates, employees, contractors, suppliers, vendors, and agents from any and all claims, actions, judgments, including the costs of defense and attorneys' fees incurred in defending the same arising from or related to the provision and use of equipment and services rendered to assist emergency efforts to repair and prevent further compromise of the dams in the Forest Lake and Lake Katherine communities. This Agreement is limited to the provision and use of equipment and services rendered while Executive Order 2015-21 remains in effect.

SCANA shall enjoy the protection of sovereign immunity of the State to the same extent as state employees for work performed pursuant to this Agreement. Nothing herein shall be in derogation of any rights or protections for civil licensed engineers existing under state law.

Further, the State acknowledges that SCANA Corporation is providing this equipment and the services of its employees at no cost as a public service in an effort to aid the state and local emergency response efforts. The State understands that by making use of its equipment and employees to perform these services, SCANA Corporation and South Carolina Electric & Gas Company are not undertaking any legal duties or responsibilities for the maintenance and repair of the dams.

This 6<sup>th</sup> day of October, 2015.

The Hon. Nikki R. Haley  
Governor of the State of South Carolina