

**BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF GEORGIA**

In Re:)	
)	Docket No. 31852
Application of Liberty Utilities)	
for Amended Certificate of Public Convenience)	
and Necessity for Jackson County)	
)	
<i>In Re:</i>)	
)	
<i>Jackson County County-Wide Safety Plan</i>)	Docket No. 29334

**APPLICATION OF LIBERTY UTILITIES FOR AMENDED CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY FOR JACKSON COUNTY**

Liberty Utilities (“Liberty”) submits this Application to Amend its Certificate of Public Convenience and Necessity for Jackson County for consideration by the Georgia Public Service Commission (“Commission”). Pursuant to O.C.G.A. § 46-4-28(a) and Commission Rule 515-7-1-13, Liberty respectfully requests that the Commission amend Liberty’s current Certificate of Public Convenience and Necessity as discussed below. Liberty requests that its Certificate be amended in order to conform its current Certificate boundaries to the safety-based boundaries requested pursuant to the Commission’s Countywide Safety Plan Rule (Commission Rule 515-9-7-01). Liberty is providing notice of its Application pursuant to Commission Rule 515-7-1-.04 by serving this Application upon the persons listed on the attached Certificate of Service.

PRELIMINARY STATEMENT

Pursuant to O.C.G.A. § 46-4-21 and Commission Rule 515-7-1-.02, Liberty previously obtained Certificates to operate a gas pipeline and distribution system in Jackson County, Georgia. In order to synchronize proposed Countywide Safety Plan boundaries with Liberty’s certificate territory, Liberty is requesting realignment of its service area within this County with no transfer of customers.

Under O.C.G.A. § 46-4-28(a) and Commission Rule 515-7-1-.13, the Commission may amend a Certificate. Accordingly, Liberty submits this Application to amend its Certificate boundaries in order to conform its current Certificate boundaries to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule.

DISCUSSION

As part of this application, Liberty shows the following with respect to the Certificate requirements found in Commission Rule 515-7-1-.03:

1. (a) The exact legal name of the applicant; if the applicant is a corporation, the State or territory under the laws of which the applicant was organized, the location of the applicant's principal place of business, the names of all States where the applicant is authorized to do business and a concise but comprehensive description of the existing business, operations and properties of the applicant with particular reference to the transportation, distribution and sale of natural or manufactured gas.

Applicant, Liberty Utilities (Peach State Natural Gas) Corp. ("Liberty") is a corporation duly organized, validly existing, and in good standing under the laws of the State of Georgia. Liberty is a public utility engaged in the distribution and sale of natural gas to the public in Georgia. Liberty operates in the State of Georgia by distributing and selling natural gas to the public in Cataula, Harris County, Columbus, Ellerslie, Forston, Gainesville, Midland, Oakwood, and Waverly Hall, and surrounding areas.

(b) The name, title or post-office address of the person to whom correspondence or communications in regard to the application are to be addressed. Unless advised to the contrary, the Commission will serve notices, orders, and other papers upon the person so named.

All correspondence and communications related to this application should be addressed to the following:

Harold Woods
Director, Operations and Engineering
Liberty Utilities
2300 Victory Drive
Columbus, Georgia 31901
Harold.woods@libertyutilities.com

With copies to:

Jason A. Dean
Julius M. Hulsey
Hulsey, Oliver & Mahar, LLP
200 E. Butler Parkway
Gainesville, Georgia 30503
jad@homlaw.com

(c) A brief but accurate description of the project or facilities for which a certificate is sought and the dates on which it is intended to begin and complete construction or acquisition.

Liberty seeks an amended Certificate to operate a distribution system in Jackson County, Georgia to conform its current Certificate boundaries to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule. Liberty seeks to amend its service area in this County to conform to safety-based boundaries, wherein Liberty seeks to add a large parcel north of the intersection of Highway 124 and Gum Springs Road. Liberty seeks to amend its certificated territory to eliminate from its territory and transfer to AGL's territory certain parcels purchased by the school system that are being developed as parking and sports fields and amending the safety-based boundary running through two all-electric subdivisions, one located northwest of the intersection of Interstate 85 and Highway 60 and the other located northeast of the intersection of Gum Springs Church Road and Jackson Trail Road. Liberty seeks an amended Certificate to conform its current Certificate boundaries to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule so that Liberty can continue to operate its natural gas distribution system in this County.

(d) A statement setting forth the service proposed to be rendered by applicant, showing communities proposed to be served, with the population of each, main line industrial customers, sales or interchange with other utilities and any other service. In describing such other service, furnish the name of any other utility rendering service within any county in which any community or customer to be served by applicant is located, together with a general statement of pertinent facts as to the extent and nature of such existing service, specifying whether such other utility is serving natural or manufactured gas.

Liberty will be providing the same distribution service that it currently provides and was previously certificated to provide. Liberty is simply seeking an amendment to its Certificate to revise its service boundaries to conform to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule. This will allow the timely provision of gas service and prevent the creation of duplicative gas systems in the future.

(e) A description of the facilities proposed to be constructed, acquired or operated, giving, insofar as such information may be pertinent, the size, capacity, length and location of pipelines and laterals; the extent of distribution systems; the location, rated horsepower and capacity of all compressor stations; the location and description of other important property units; a description of the proposed manner or method of operating said proposed facilities, including proposed operating pressures, the capacity of the proposed facilities, estimates of maximum and minimum day demands, and any other pertinent facts showing that such facilities will be capable of performing adequately the service which the applicant proposed to render. In connection herewith the applicant shall furnish:

Liberty will be providing the same distribution service that it currently provides and was previously certificated to provide. It will not be constructing or operating any new facilities. Liberty is simply seeking an amendment to its Certificate to revise its service boundaries to conform to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule.

1. Fifteen (15) copies of a map delineating the size and location of applicant's proposed pipe lines, or distribution system, the communities to be served, the points of connection with existing facilities and the location of points of gas supply to be utilized in connection with the proposed facilities; such map shall include roads, waterways and any other natural boundaries to enable the Commission to distinguish the true location of the

proposed facilities; as well as any other operator's gas facilities within 1,200 feet of the applicant's proposed facilities. The location of the proposed pipeline or distribution system and other gas operator's facilities must be delineated in contrasting colors. The maps shall be at least 11 x 14 inches.

Liberty will be providing the same distribution service that it currently provides and was previously certificated to provide. Liberty is simply seeking an amendment to its Certificate to revise its service boundaries to conform to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule. Liberty refers to the map appended to its Countywide Safety Plan that shows all operators with the requested safety-based boundaries.

2. A statement setting forth all contracts for the construction, purchase or lease of the proposed facilities and giving the affiliation, if any, between applicant and any other party to said contract. A detailed breakdown of costs must be included for the construction, purchase or lease of the proposed facilities. The cost breakdown shall include the following:

Liberty will be providing the same distribution service that it currently provides and was previously certificated to provide. It is not constructing, purchasing, or leasing any new facilities. Liberty is simply seeking an amendment to its Certificate to revise its service boundaries to conform to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule.

(i) Overall cost of the project,

Not applicable. See response to (e)2., *supra*.

(ii) Cost per foot for each size of pipe,

Not applicable. See response to (e)2., *supra*.

(iii) Cost for right-of-way,

Not applicable. See response to (e)2., *supra*.

(iv) *Financing costs,*

Not applicable. See response to (e)2., *supra*.

(v) *Cost of labor, and*

Not applicable. See response to (e)2., *supra*.

(vi) *Any other costs.*

Not applicable. See response to (e)2., *supra*.

(f) *A statement of the source of gas, together with a copy of the interstate pipeline contracts or full requirements contract therefore, which is to supply the market which is proposed to be served. However, if such interstate pipeline contracts or full requirements contracts contain discounted or negotiated rates or terms, the applicant may file such contracts pursuant to Commission Rule 515-3-1-.11.*

Liberty will be providing the same distribution service that it currently provides and was previously certificated to provide. It will be using the same source of gas that it currently uses, and is not entering into any new pipeline contracts. Liberty is simply seeking an amendment to its Certificate to revise its service boundaries to conform to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule. This will allow the timely provision of gas service and prevent the creation of duplicative gas systems in the future.

(g) *A statement setting forth all facts bearing upon economic feasibility including:*

1. *The estimated total overall capital cost of the proposed extension or acquisition, including all expenditures involved in the construction or acquisition of the proposed facilities, proposed cost of financing, working capital, and other incidental costs, amount of engineering and contracting fees to be paid and a brief statement of applicant's proposed plan of financing.*

Liberty will be providing the same distribution service that it currently provides and was previously certificated to provide. It is not extending or acquiring any new facilities. Liberty is simply seeking an amendment to its Certificate to revise its service boundaries to conform to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule.

2. A detailed statement of the extent to which such plan is supported by firm or contingent commitments from all financial sources, including commitments from banks, trust companies, insurance companies, investment bankers, steel companies, pipeline supply companies and other sources.

Not applicable. See response to (g)1., *supra*.

3. A statement showing estimates of total revenues expected from the proposed new facilities to be constructed, acquired or operated, total fixed charges, total operating expenses.

Not applicable. See response to (g)1., *supra*.

4. A general statement covering the rates proposed to be charged by applicant for each kind of natural or manufactured gas service proposed to be rendered, and the expected sales, revenues, average revenue per MCF and average revenue per therm to be derived therefrom.

Liberty will be providing the same distribution service that it currently provides and was previously certificated to provide. Liberty is simply seeking an amendment to its Certificate to revise its service boundaries to conform to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule. Customers served under this application will be charged rates consistent with Liberty's tariff as approved and modified from time to time by the Commission. Revenues will be derived from such charges consistent with those approved by the Commission during Liberty's most recent rate review.

(h) A general description of the proposed method of supervising the operations of the proposed project, including reference to any relevant service or management contracts, existing or contemplated.

Liberty will be providing the same distribution service that it currently provides and was previously certificated to provide. Liberty is simply seeking an amendment to its Certificate to revise its service boundaries to conform to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule. All natural gas facilities subject to this Application will be operated and maintained in accordance with 49 C.F.R. Part 192 and with Liberty's *Operations Procedures Manual*.

(i) A statement of any other facts and circumstances upon which applicant relies to establish that present or future public convenience and necessity required the new construction, acquisition or operation of such facilities.

Liberty will be providing the same distribution service that it currently provides and was previously certificated to provide. Liberty is simply seeking an amendment to its Certificate to revise its service boundaries to conform to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule. Liberty relies on the Commission Rule requiring the establishment of countywide safety-based boundaries as it relates to the present and future public convenience and necessity requiring the conformance to Countywide Safety Plan boundaries. The amended Certificate will be in place at the time any new customers request natural gas service, eliminating the future need for Liberty to petition the Commission for permission to provide the requested service, and allowing Liberty to provide said service in a timelier manner, and preventing the creation of duplicative gas systems in the future.

(j) In addition to all of the information specified in paragraphs (a) through (j) of this rule, an application submitted under O.C.G.A. § 46-4-28 (a.1) must include:

1. *Documentation sufficient to support the applicant's contention that the existing certificate holder has failed to begin construction or operation of any pipeline or distribution system, or extension thereof, in substantially all the territory covered by such certificate as further defined in Rule 515-7-1-.13;*

This provision is not applicable. Liberty is simply seeking an amendment to its Certificate to revise its service boundaries to conform to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule.

2. *Documentation demonstrating that a specified end-use customer, property owner, or developer has requested natural gas service from applicant, the extent of the service requested, and the date said service is needed;*

This provision is not applicable. Liberty is not seeking an amended Certificate due to a request by an end-use customer, property owner, or developer for natural gas service. Liberty is simply seeking an amendment to its Certificate to revise its service boundaries to conform to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule.

3. *The territory for which the applicant is seeking to provide natural gas service to a specified end-use customer, property owner, or development;*

Liberty will continue providing service in this County. The service will conform to the countywide safety-based boundaries referenced in the maps referred to in Liberty' response to (e)1., *supra*.

4. *Documentation demonstrating that any newly certified area requested by applicant to serve the specified end-use customer, property owner, or development in question can be established by the Commission with a boundary that meets safety and public welfare requirements;*

Liberty refers to the maps referenced in its response to 1.(e)1., *supra*.

5. *The rates and terms of service applicable to the specified end-use customer, property owner, or development in question; and*

Customers served under this Application will be subject to all applicable rates and terms of service in accordance with the Liberty's tariff as approved and modified from time to time by the Commission.

6. *Documentation demonstrating that applicant can provide said requested service in a timely manner.*

Liberty will be providing the same distribution service that it currently provides and was previously certificated to provide. Liberty is seeking an amendment to its Certificate to revise its service boundaries to conform to the safety-based boundaries requested pursuant to the Commission's Countywide Safety Plan Rule. While there is no specific request for service for which documentation demonstrating timeliness can be provided, Liberty also refers the Commission to its history of timely service throughout Liberty's service territory in Georgia.

CONCLUSION

Based on the foregoing, Liberty respectfully requests that the Commission grant this Application for Amended Certificate of Public Convenience and Necessity for Jackson County.

Respectfully submitted, this 7th day of October, 2021.

HULSEY, OLIVER & MAHAR, LLP

By: /s/ Jason A. Dean
Jason A. Dean
Georgia Bar No. 214762
Julius M. Hulsey
Georgia Bar No. 377600

P.O. Box 1457
Gainesville, GA 30503
Tel: (770) 532-6312
Fax: (770) 531-9230

Attorneys for Liberty Utilities

VERIFICATION

PERSONALLY APPEARED BEFORE the undersigned officer, duly authorized by law to administer oaths, Harold Woods, who first being duly sworn, states on oath and deposes that he is the Director of Operations and Engineering of Liberty Utilities, and that the facts stated in the foregoing Application of Liberty Utilities for Amended Certificate of Public Convenience and Necessity for Jackson County are true and correct to the best of his knowledge.



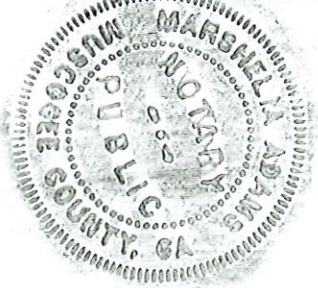
Harold Woods
Director, Operations and Engineering
Liberty Utilities

Sworn to and subscribed before me
this 27 day of August, 2021.



Notary Public (SEAL)

My Commission Expires: 9/28/2023



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CERTIFICATE OF SERVICE

I, Jason A. Dean, an attorney for Liberty Utilities hereby certifies this date furnished a copy of APPLICATION OF LIBERTY UTILITIES FOR AMENDED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR JACKSON COUNTY via statutory electronic service or by depositing a copy of same in the United States mail properly stamped and addressed to the following:

Mr. Reece McAlister
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334
reecem@psc.state.ga.us

Mr. Tom Bond
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334
tomb@psc.state.ga.us

Ade Adeniyi
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334
aadeniyi@psc.state.ga.us

Ms. Michelle Thebert
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334
mthebert@psc.state.ga.us

Nancy Tyer
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334
nancyt@psc.state.ga.us

Charlotte Davis
Georgia Municipal Association
The Burgess Building
201 Pryor St., S. W.
Atlanta, Georgia 30303
cdavis@gmanet.com

Mr. Chris Strippelholff
Municipal Gas Authority of Georgia

Pedro Cherry
Southern Company Gas

104 Townpark Dr., N.W.
Kennesaw, GA 30144
cstrippelhoff@gasauthority.com

Lindsey Williamson
Holland & Knight LLP
1180 West Peachtree Street, N.W., Suite 1800
Atlanta, GA 30309
lindsey.williamson@hklaw.com

Billy Horne
Southern Company Gas
Ten Peachtree Place
Atlanta, Georgia 30309
bhorne@southernco.com

Ralph McCollum
Southern Company Gas
Ten Peachtree Place
Atlanta, Georgia 30309
rmccollu@southernco.com

Honorable Phillip Beard, Chairman
City of Buford
2300 Buford Highway
Buford, GA 30518
phillipnmbear@aol.com

Galloway & Lyndall, LLP
Terri Lyndall
406 North Hill Street
Griffin, Georgia 30223
tlyndall@gallyn-law.com

Honorable J. Clark Hill III, Mayor
City of Commerce
P.O. Box 348
Commerce, GA 30529
jchill@commercega.org

10 Peachtree Place, NE
Atlanta, Georgia 30309
ppcherry@southernco.com

Robert Highsmith
Holland & Knight LLP
1180 W. Peachtree St., N.W. Suite 1800
Atlanta, Georgia 30309
robert.highsmith@hklaw.com

Rick Lonn
Southern Company Gas
Ten Peachtree Place
Atlanta, Georgia 30309
rlonn@southernco.com

Chuck Rossi, President
Liberty Utilities
2300 Victory Dr.
Columbus, Georgia 31901-3455

Gregory Jay
4350 South Lee Street
Buford, Georgia 30518
gjay@cbjblawfirm.com

Darren Perkins, Gas Superintendent
City of Buford
2500 Buford Highway
Buford, Georgia 30518
dperkins@cityofbuford.com

Elizabeth Wade
Southern Company Gas
10 Peachtree Place, NE
Atlanta, Georgia 30309
ewade@southernco.com

This 7th day of October, 2021.

HULSEY, OLIVER & MAHAR, LLP

By: /s/ Jason A. Dean

Jason A. Dean
Georgia Bar No. 214762
P.O. Box 1457
Gainesville, GA 30503
Tel: (770) 532-6312
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Attorneys for Liberty Utilities