

BEFORE THE STATE OF GEORGIA
PUBLIC SERVICE COMMISSION

In Re:

Georgia Power Company's 2023)
Fuel Cost Recovery (FCR) Application) Docket No. 44902

**SIERRA CLUB AND SOUTHERN ALLIANCE FOR CLEAN ENERGY
APPLICATION FOR LEAVE TO INTERVENE**

COMES NOW, the Sierra Club and Southern Alliance for Clean Energy (SACE), pursuant to O.C.G.A. §§ 50-13-14 and 46-2-59 and Commission Rule 515-2-1-.06, and file their Application for Leave to Intervene (“Application”) in the above-referenced docket. In support hereof, Sierra Club and SACE respectfully state as follows:

1. Sierra Club is the nation’s oldest and largest grassroots environmental organization, with members across the country, including over 10,000 in Georgia. Sierra Club’s mission is to explore, enjoy, and protect the wild places of the Earth; to practice and promote the responsible use of the Earth’s resources and ecosystems; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives. As part of this mission, Sierra Club works on behalf of its members to help transition the power generation industry away from fossil fuels and towards a clean energy economy. Additionally, Sierra Club members purchase electricity from Georgia Power. Their consumption, costs, and terms of service for purchase of electricity may be affected by the Commission’s actions in this docket. As a result, Sierra Club has substantial interests in the outcome of this proceeding and desires to intervene in order to protect those interests.

2. SACE is a 501(c)(3) nonprofit organization whose purpose is to promote responsible and equitable energy choices to ensure clean, safe, and healthy communities throughout the Southeast. SACE is incorporated in Tennessee and is registered as a nonprofit corporation in Georgia. SACE has an office and staff in Atlanta and operates in Georgia, Tennessee, Florida, North Carolina, and South Carolina. SACE and its members are interested in promoting greater reliance on clean, low-cost resources to meet the Southeast's energy needs. SACE conducts education programs and research concerning environmental, public health, and economic impacts of energy use and policy, and advocates for energy resource plans and policies that best serve the public health and economic interests of communities in Georgia and throughout the Southeast. SACE has an interest in the 2023 Fuel Cost Recovery (FCR) proceedings both on its own behalf and on behalf of its members. Georgia Power is the electric provider of many of its members in Georgia who are subject to the impacts of Georgia Power's cost of electricity. SACE and its members' interests in this proceeding are germane to SACE's purpose of advocating for energy resource plans, policies, and systems that best serve the environment, public health, and economic interests of communities in Georgia and throughout the Southeast. The rights and interests of SACE and its members will be substantially affected by decisions made by the Commission in this docket.

3. On February 28, 2023, Georgia Power filed before the Public Service Commission (the "Commission") its Fuel Cost Recovery (FCR) Application. The Commission approved a procedural and scheduling order for this Docket on January 17, 2023. In that order, the Commission established that parties seeking leave to intervene must "file an application for leave to intervene within 30 days following the first published notice of the proceeding. Pursuant to

Rule 515-2-1-.04(3), Georgia Power will be directed to give first notice of its proceedings in this case not later than March 30, 2023.” Georgia Power published the first notice of the proceeding on February 13, 2023. Pursuant to the Commission’s procedural and scheduling order, Sierra Club and SACE timely file this Application to participate in the above-referenced docket.

4. Sierra Club and SACE respectfully request that they be granted leave to intervene and participate fully as a co-intervening party in these proceedings, including the right to present testimony and exhibits, cross-examine witnesses, and file briefs because their rights and interests cannot be adequately represented by any other party to the above-styled docket. Sierra Club and SACE are particularly interested in the responsible transition away from fossil fuel-based electric generating plants towards meeting electricity demand with clean energy. While Sierra Club and SACE have not yet determined all of the witness testimony they would offer, they anticipate providing expert testimony evaluating the Company’s fuel cost recovery mechanism.

5. Additionally, Sierra Club and SACE will participate in this matter without unduly delaying these proceedings and without prejudice to any other party. Among other dockets, Sierra Club previously applied for leave to intervene in the 2019 Georgia Power Company Rate Case docket, and the 2022 Georgia Power Company IRP and Rate Case dockets, and those applications were granted. SACE has intervened in numerous proceedings before the Commission since 2003. Among the many Commission proceedings in which SACE has intervened and actively participated are the semi-annual reviews of Plant Vogtle Units 3 and 4 in Docket 29849; Georgia Power’s application for approval of its 2010 IRP and certification of DSM programs from the 2010 IRP; the Capacity and energy payments to co-generators under PURPA in Docket 4822; Georgia

Power's 2011 application for decertification of Plant Branch Units 1 and 2 and Plant Mitchell Unit 4C, application for the certification of the power purchase agreements with BE Alabama, LLC from the Tenaska Lindsay in Docket 34218; Georgia Power's Advanced Solar Initiative; the Plant Mitchell conversion; the DSM Working Group; Georgia Power's 2013 IRP and certification of DSM programs from the 2013 IRP; Georgia Power's 2016 IRP and application for the decertification of Plant Mitchell Units 3, 4A and 4B, Plant Kraft Unit 1 CT and Intercession City CT and certification, decertification and amended DSM plan from the 2016 IRP; the 2019 Georgia Power IRP and DSM plans in Dockets 42310 and 42311; the 2022 IRP and DSM plans in Dockets 44160 and 44161; as well as the 2022 Rate Case in Docket 44280.

6. Sierra Club requests that the following persons be included on the service list in this docket and that all communications regarding this docket be directed to them:

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Respectfully submitted this 7th day of March 2023.



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In Re:

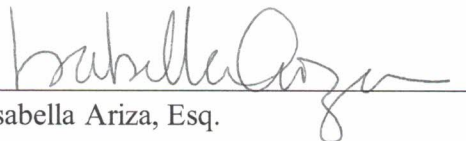
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VERIFICATION OF APPLICATION FOR LEAVE TO INTERVENE

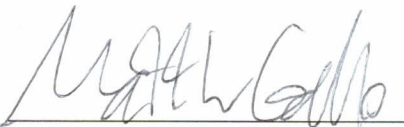
District of Columbia

Personally appeared before the undersigned officer, duly authorized to administer oaths in the State and County aforesaid, Isabella Ariza, Esq., who, after being duly sworn, deposes and says that she is an Associate Attorney for the Sierra Club and that the facts contained in the foregoing Application for Intervention are true and correct to the best of her knowledge, information, and belief.

This 7th day of March 2023.


Isabella Ariza, Esq.

Sworn and subscribed
before me this 7th day
of March 2023.



Notary Public

My Commission Expires: 08/14/2024



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Docket No. 44902

CERTIFICATE OF SERVICE

I hereby certify that I have served the following parties with the foregoing *SIERRA CLUB AND SOUTHERN ALLIANCE FOR CLEAN ENERGY APPLICATION FOR LEAVE TO INTERVENE*, via electronic mail as follows:

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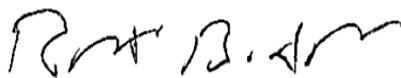
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This 7th day of March 2023.



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