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In Re: Sandersville Railroad Company's Petition for Approval to Acquire Real Estate by Condemnation

Docket No.: 45045

Order Directing Parties to Meet and Confer in Good Faith Regarding Subpoena Request and Order Modifying Procedural and Scheduling Order

The Property Owner Intervenors ("Respondents") submitted, on July 25, 2023, First Data Request to Sandersville Railroad Company ("Sandersville") and Request for Issuance of Subpoena. On July 26, 2023, a Subpoena to Testify and Duces Tecum ("Subpoena") was issued in the above-styled proceeding. Sandersville filed Objections and Responses to Subpoena on August 10, 2023. Several of Sandersville's Specific Objections to the Subpoena state a willingness to provide responses under Trade Secret Protection (O.C.G.A. Sections 10-1-761, 50-18-72 and Commission Rule 515-3-1-.11).

The Parties are hereby directed to meet and confer in good faith to resolve any disputes regarding records to be provided pursuant to each Duces Tecum number listed in Exhibit A of the Subpoena and any confidentiality agreements necessary to provide any such records. Parties shall file a joint report by August 21, 2023, with the Executive Secretary. This report shall delineate how the Parties have resolved each of the foregoing issues. For any issues that the parties have been unable to resolve, the report shall include: the relevant Duces Tecum number; the precise issue that needs to be resolved; and, each party's proposed resolution of the issue, including the party's rationale for its proposed resolution. The due date for any responsive documents shall be August 28, 2023, by 4:00 p.m.

In order to provide Parties with time to meet and confer and in order for Respondent to receive responsive documents prior to filing its testimony, the May 18, 2023, Procedural and Scheduling Order shall be amended to change the August 17, 2023, date for Respondent and

Intervenor testimony to August 31, 2023. The date for Petitioner Rebuttal testimony shall be changed from September 14, 2023, to September 28, 2023.

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WHEREFORE IT IS ORDERED, that as set forth above the Parties shall meet and confer in good faith and file a joint report by August 21, 2023. Further, the due date for the subpoenaed documents shall be moved to August 28, 2023, by 4 p.m.

ORDERED FURTHER, the Procedural and Scheduling Order issued on May 18, 2023, is modified as set for above. Except as otherwise expressly provided herein all other provisions set forth in the original Procedural and Scheduling Order shall remain in full force and effect.

ORDERED FURTHER, that a motion for reconsideration, rehearing or oral argument or any other motion shall not stay the effective date of this Order, unless otherwise ordered by the Commission.

ORDERED FURTHER, that jurisdiction over these matters is expressly retained for the purpose of entering such further Order or Orders as the Hearing Officer or the Commission may deem just and proper.

SO ORDERED, this 14th day of August 2023.

Nancy Gibson, Hearing Officer
Georgia Public Service Commission