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TRICIA PRIDEMORE

REECE McALISTER
EXECUTIVE DIRECTOR

SALLIE TANNER
EXECUTIVE SECRETARY

# Georgia Public Service Commission

(404) 656-4501
(800) 282-5813

244 WASHINGTON STREET, SW
ATLANTA, GEORGIA 30334-5701

FAX: (404) 656-2341
psc.ga.gov

**IN RE:**

**Staff and DHS Memorandum of Understanding**

**Docket No. 28320-34432-38703-41533-43404**

## ORDER EXTENDING THE 2010-2012 MEMORANDUM OF UNDERSTANDING

This matter comes to the Georgia Public Service Commission ("GPSC") as a result of the Georgia Department of Human Services ("DHS") filing a letter request (Attachment A) to extend the Memorandum of Understanding ("MOU") they currently have (Attachment B) with Commission Staff ("Staff") until September 30, 2024.

### Background

On August 17, 2011, the GPSC and DHS entered into an MOU. The MOU provided for the transfer of funds from the Fresh Start Program to the Regulated Provider Program. The MOU also provided for a disbursement from the Universal Service Fund ("USF") to DHS in order to provide referral processing services for the Regulated Provider Program. The total amount of the disbursement was $86,543.00.

Paragraph 8 of the MOU provided that, "[i]f, by August 31, 2012, the full amount of this grant has not been used for the purposes of processing consumer applications for the Regulated Provider, then the amount left over shall be returned to the Commission to be deposited into the USF." According to DHS, the agency has not used the full amount of the grant in processing applications.

On February 7, 2014, DHS filed a letter with the Commission requesting an extension of the current MOU through August 31, 2015. Additional funding was not requested at that time. However, the extension of the MOU was necessary in order to avoid having to return the funds to the USF.

On August 16, 2017, DHS filed a letter with the Commission requesting an extension of the current MOU through August 31, 2018. Additional funding is not requested at this time. However, the extension of the MOU is necessary in order to avoid having to return the funds to the USF.

On June 14, 2018, DHS filed a letter with the Commission requesting an extension of the current MOU through August 31, 2020. Additional funding is not requested at this time. However, the extension of the MOU is necessary in order to avoid having to return the funds to the USF. This timeframe also aligns with the Regulated Provider term.

On September 10, 2020, DHS filed a letter with the Commission requesting an extension of the MOU through September 30, 2022. Additional funding is not requested at this time. However, the extension of the MOU is necessary in order to avoid having to return the funds to the USF.

On June 17, 2022, DHS filed a letter with the Commission requesting an extension of the MOU through September 30, 2023. Additional funding is not requested at this time. However, the extension of the MOU is necessary in order to avoid having to return the funds to the USF.

## Staff Analysis

Staff held meetings with DHS in order to discuss the extension of the MOU. Staff understands that extending the MOU is vital for the Regulated Provider Program. With the Regulated Provider term coming to an end on August 31, 2024, extending the MOU until September 30, 2024, will align the timeframe with the end of the Regulated Provider term. According to the last DHS filing of the Regulated Referral Report, as of September 30, 2021, DHS shows an ending USF balance of $21,936. By extending the MOU, DHS will avoid having to return the funds to the USF, as discussed in Paragraph 8 of the MOU dated August 17, 2011. At this time, DHS is not requesting additional funds.

## Commission Decision

In order for DHS to continue to be able to facilitate the processing of applications for the Regulated Provider Program, the Commission finds that it is in the public interest to grant DHS's request. If DHS does not have adequate funds to perform this function, eligible consumers will be at risk of not being able to receive natural gas service from the Regulated Provider. Therefore, during its August 15, 2023 Administrative Session, the Commission voted to extend the term of the Memorandum of Understanding through September 30, 2024.

* * * * *

**WHEREFORE IT IS ORDERED,** that for the reasons stated above, the Commission hereby extends through September 30, 2024, the current Memorandum of Understanding between GPSC and DHS. Unless otherwise ordered by the Commission, DHS shall provide service during this extension pursuant to the current terms and conditions as set forth by the August 17, 2011 Order.

**ORDERED FURTHER,** that by extending the term of the MOU through September 30, 2024, DHS will avoid having to return the funds to the USF as discussed in Paragraph 8 of the MOU dated August 17, 2011.

**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 this matter is expressly retained for the purpose of entering such further Order or Orders as this Commission may deem just and proper.

The above by action of the Commission in Administrative Session on the 15th day of August, 2023.

Sallie Tanner
Executive Secretary

8-21-23
Date

Jason Shaw
Chairman

8/21/23
Date