FILED
DEC 21 2023
EXECUTIVE SECRETARY
G.P.S.C.

DOCKET# 45084
DOCUMENT# 216869

COMMISSIONERS:
JASON SHAW, Chairman
TIM G. ECHOLS, Vice-Chairman
FITZ JOHNSON
LAUREN "BUBBA" McDONALD
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

DOCKET NO. 45084

IN RE: GEORGIA POWER COMPANY'S 2023 CLEAN AND RENEWABLE ENERGY SOLICITATION UTILITY SCALE RENEWABLE REQUEST FOR PROPOSALS

ORDER APPROVING 2023 CARES FINAL REQUEST FOR PROPOSALS DOCUMENTS WITH MODIFICATIONS

On December 1, 2023, Georgia Power Company ("Georgia Power" or "Company") filed the final drafts of Georgia Power's 2023 Clean and Renewable Energy Solicitation ("CARES") Utility Scale Renewable Request for Proposals ("RFP"), Pro Forma Energy Only, Energy with Storage, and Carbon-Free Energy Around-the-Clock ("CFE-ATC") Power Purchase Agreements ("PPA"), Pro Forma Asset Purchase Agreement ("APA"), and Build Transfer Agreement ("BTA") for Georgia Public Service Commission ("Commission") approval. As approved by the Commission in its Order Adopting Stipulation in Docket No. 44160 ("2022 IRP Final Order") regarding Georgia Power's 2022 Integrated Resource Plan ("IRP"), Georgia Power will procure up to 2,100 megawatts ("MW") of Utility Scale renewable resources, including energy from up to 650 MW of around the clock carbon free energy from carbon free resources that leverage renewable resources with battery storage systems. In the Final Draft CARES RFP, Georgia Power plans to roll forward 1,250 MW that were left unfilled from previous utility scale procurements

for a total CARES procurement target of 3,350 MW. Georgia Power will issue at least two RFPs to procure the total MW target.

The 2023 CARES RFP will seek to procure 2,875 MW of Utility Scale renewable resources, with anticipated in-service dates of 2026, 2027, or 2028. Georgia Power will accept bids for facilities where the generating capacity of the renewable resource is no less than 6 MW. A second CARES RFP is expected to be issued in 2025 to procure the unfulfilled Utility Scale resources. In addition to the Renewable Energy procured by the 2023 and 2025 RFP, Georgia Power may procure additional Utility Scale Renewable Resources, that are not CFE-ATC Resources, for the CARES Economic Development ("ED") Program.

Bids will be accepted for both existing and new facilities. Awarded contracts for an existing facility would be in the form of either a Pro Forma APA or Pro forma Energy Only PPA, depending on whether Georgia Power or the bidder is the ultimate owner of the existing facility. Awarded contracts for a facility that has not yet been constructed, but meets the requirements of a Build Transfer Facility, would be in the form of a Pro Forma BTA or if the facility will be owned by the bidder would be a Pro Forma Energy Only PPA, Pro Forma Energy with Storage PPA, or a Pro Forma CFE-ATC PPA, depending on whether the facility includes a storage device and whether the facility being proposed would be a CFE-ATC Resource.

The 2023 CARES RFP seeks to procure Renewable Energy from Utility Scale renewable resources located anywhere in the United States for facilities that are seeking either an Energy Only or Energy with Storage PPA. Bids for facilities seeking a CFE-ATC PPA, an APA or a BTA must interconnect to the Southern Transmission Territory and be located in the state of Georgia. Georgia Power will not accept a bid that constitutes partial output from a facility. A bid must represent the full output of the facility, which is the full capability of the renewable resource, combined with any storage device. All environmental attributes produced by or related to the facility must be bundled with the energy procured.

Separate from the 2023 CARES RFP, after receiving all bids for CFE-ATC Resources, Georgia Power will establish a price to offer to CFE-ATC applicants for a subscription in a newly established CFE-ATC Program. If a CFE-ATC applicant agrees to the pricing and executes a CFE-ATC customer agreement, Georgia Power will proceed with reviewing a bidder's bid as part of the Competitive Tier for advancement to the Short List. If no CFE-ATC applicants execute a CFE-ATC customer agreement, then bids for CFE-ATC Resources will be placed on the Release List.

Accion Group, LLC was selected by the Commission as the Independent Evaluator ("IE") for this solicitation. All communications and submission of bids will be through https://gpccares23.accionpower.com/ ("IE Website"). The evaluation of the bids received will primarily focus on a bid's economic net benefits, but other qualitative and non-price attributes, such as reliability associated with facility location interconnecting to the Southern Company Transmission System, locating the facility inside Georgia Power's service territory, bidder's project development experience, bidder's diversity, equity, and inclusion initiatives, environmental impacts the substation into which the facility proposes interconnection, cost and schedule of any Electric System improvements that are required as a result of bidder's proposed facility, and bidder's proposed date for the achievement of Commercial Operation or Closing will be considered.

Georgia Power will consider Term lengths for bids proposing (i) PPAs in the form of Pro Forma Energy Only or CFE-ATC PPAs of 15, 20, 25, or 30 Annual Periods; (ii) Pro Forma Energy with Storage PPAs of 15, 20, or 25 Annual Periods; (iii) APAs for Existing Facilities with a facility design life of 15, 20, 25, or 30 Annual Periods; or (iv) BTAs for Build Transfer Facilities with a facility design life of no fewer than 30 Annual Periods. For evaluation of bids with unequal contract PPA Term lengths or facility design life lengths, Georgia Power will utilize its projected avoided costs to enable evaluation of bids on an equivalent basis, given the unequal PPA Term or facility design life lengths. This method is consistent with what was done in prior RFPs. For each unique bid submitted, a bidder will be permitted to provide one levelized pricing option and one escalating pricing option for one bid fee.

On October 5, 2023, draft RFP, APA, BTA and PPA documents were posted to the IE Website to allow potential bidders the opportunity to submit comments and offer revisions to the documents. On October 11, 2023, Georgia Power conducted an online Bidder's Conference for potential bidders and interested parties to discuss the 2023 CARES RFP process and draft RFP documents with Georgia Power, Commission Staff ("Staff"), and the IE. There were 128 attendees that participated. By the conclusion of the comment period, a total of 160 comments (52 on the RFP and 108 on the proposed proforma agreements) by twelve different commenters were received regarding the draft documents. Each of the comments received were reviewed by Staff, Georgia Power, and the IE and responses to the comments were provided to the commenters by the IE on December 4, 2023.

On December 1, 2023, the Final Draft of the RFP documents were posted to the IE Website and filed with the Commission for consideration and approval. The Final Draft RFP documents reflect minor modifications from the initial draft documents. The section of the RFP documents that received the most comments was the solicitation schedule. Several commenters asked for a 2-4 week shift in the schedule due to the upcoming holidays. Georgia Power agreed and modified the schedule by several weeks. In particular, the bid due date was shifted from January 12, 2024, to February 12, 2024. One commenter requested a modification to the Energy with Storage PPA On-Peak Season Storage Performance Reduction calculation. Georgia Power agreed to lower the On-Peak Storage Performance Reduction penalty for projects whose performance metric falls between 96% and 80%. Other commenters asked for further guidance on the requirements for Automatic Generation Control ("AGC"). In the CARES 2023 RFP, all bids for a PPA with Energy Only, Energy with Storage, or CFE-ATC Resources, must include AGC. AGC will be used by Georgia Power to enable the facilities to respond to and follow Georgia Power's AGC setpoint signals. Several commenters also asked for clarification concerning Georgia Power's environmental site assessment requirements for bids. To aid bidders, Georgia Power provided additional guidance documents concerning AGC, flexible use case storage guidance, and environmental guidance.

The CARES RFP document addresses Georgia Power's participation in this RFP through Company Owned Proposals. An Affiliate of the Company has notified the IE that it plans to participate in the 2023 CARES RFP. No comments were submitted regarding Georgia Power's participation in this RFP. Commission Rule 515-3-4-.04(3)(d) (Standards of Conduct) incorporates measures to segregate the Company's Evaluation Team ("Evaluation Team") and any Affiliate Bid Team. The lists identifying the Evaluation Team and Affiliate Bid Team members can be located on the Commission's filing log under Docket No. 45084 and on the "Documents" page of the IE Website. However, this Commission rule does not apply to the Company itself. In section 1.3.2. B of the Final Draft RFP, Georgia Power states that it plans to voluntarily impose the Affiliate communications restrictions as set forth in Commission Rule 515-3-4-.04(3) to restrict communications between the Evaluation Team and the Company-Owned Proposal Team, except as noted regarding Specialized Technical Support Personnel in Section 1.3.2.C (Company-Owned Proposal Team and Specialized Technical Support Personnel). No Company-Owned Proposal Team member may share with any Primary Evaluation Team member any Company-Owned Proposal information related to the costs or specific characteristics of any aspect of the Company-Owned Proposal or its proposed Facility, except for communications facilitated by the IE and necessary for evaluation of a Company-Owned Proposal.

After the Company filed the FINAL Draft 2023 CARES RFP documents, Georgia Power subsequently provided additional revisions of the RFP document to Staff to address a commenter's concern regarding interconnection agreement ("IA") timing (Attachment A). Specifically, the proposed edits clarify that a bidder with a suspended Southern Company IA will need to move its IA out of suspension within seven days after Short List notification and that the April 4, 2024, Interconnection Request Submittal Deadline is based on Southern Company's timeframe and not another Interconnection Provider. Additional revisions of the RFP document were provided to Staff to address a commenter's concern regarding facilities located in a floodplain. Specifically, the proposed edits clarify that a facility in a floodplain must obtain proper permits. The proposed edits are as follows for RFP Document, Exhibit A: Add the language "without the proper permit(s) from the appropriate regulatory authority" at the end of Section 20.A.4; and add the language

"without the proper permit(s) from the appropriate regulatory authority. Permits are subject to review by GPC" at the end of Section 22.A.4.

Staff reviewed the comments that were received on the IE Website concerning the draft documents, the Company's proposed responses, Georgia Power's subsequent modifications to the draft documents, and Georgia Power's additional modifications regarding IA timing and facilities in a floodplain. Staff recommended approval of the Final Draft 2023 CARES RFP document and Pro Forma PPAs (Energy Only, Energy with Storage, and CFE-ATC Resources), APA, and BTA, including Georgia Power's additional modifications.

The Commission approved Staff's recommendation at the December 19, 2023, Administrative Session.

* * * * * * * * * * * * *

WHEREFORE IT IS ORDERED that the Final Draft 2023 Clean and Renewable Energy Solicitation Utility Scale Renewable Request for Proposals, Pro Forma Energy Only, Energy with Storage, and Carbon-Free Energy Around-the-Clock Power Purchase Agreements, Pro Forma Asset Purchase Agreement, and Build Transfer Agreement, including Georgia Power's additional Interconnection Agreement timing and floodplain permitting requirement modifications are hereby approved.

ORDERED FURTHER, that all findings, conclusions, statements, and directives made by the Commission and contained in the foregoing sections of this Order are hereby adopted as findings of fact, conclusions of law, statements of regulatory policy, and orders of this Commission.

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 19th day of December, 2023.

Sallie Tanner
Executive Secretary

12-21-23
Date

Jason Shaw
Chairman

12-21-23
Date



CARES 2023 Utility Scale
Request for Proposals
for
Renewable Generation

[_____ __, 2023]

Issued by Georgia Power Company
241 Ralph McGill Boulevard
Atlanta, Georgia 30308
http://www.georgiapower.com

Administered by Accion Group, LLC, acting as the Independent Evaluator
https://gpccares23.accionpower.com

Table of Contents

CARES 2023 US RFP Solicitation Schedule[1]		
	Documents	
2	Bidders' Conference (Webinar) Including Transmission, Interconnection, and Environmental instructions	Wednesday, October 11, 2023
3	Final Comments Regarding RFP Documents Due; Comment Period Closed	Thursday, November 2, 2023
4	Deadline to Submit "other renewable fuel or technology"	Monday, November 3, 2023
5	Revised RFP Documents posted to IE Website	Friday, December 1, 2023
6	Final RFP Documents Filed for Commission Approval	Friday, December 1, 2023
7	Anticipated Commission Decision on RFP Documents	Tuesday, December 19, 2023
8	RFP Released via IE Website	Friday, December 22, 2023
9	Deadline for submission of intentions to submit Existing Facilities or Build Transfer Facilities	Thursday, December 28, 2023
10	Company-Owned Proposals Deadline	Wednesday, January 17, 2023, electronically submitted by 12:00 PM ET
11	Bid Period Open Date	Thursday, January 18, 2023
12	Affiliate Bid Due Date	Friday, February 9, 2024, electronically submitted by 12:00 PM ET
13	Bid and Bid Fee Due Date	Monday, February 12, 2024, electronically submitted by 12:00 PM ET
14	Competitive Tier Identified; Non-Competitive Bids Released	Thursday, March 28, 2024
15	Interconnection to Southern Company Transmission System Request Submittal Deadline	Thursday, April 4, 2024
16	Bid Security Due Date[2]	Thursday, April 18, 2024
17	Environmental Assurance Package Due	Tuesday, May 28, 2024

18	Short List and Reserve List Determination and Notification	Tuesday, October 22, 2024
19	Finalize and Execute Awarded Contracts; Upgrade Security Due	Tuesday, December 3, 2024
20	File Executed Awarded Contracts and selected Company-Owned Proposals, for Certification with the Commission	Wednesday, December 4, 2024
21	Unsuccessful Bids remaining on Reserve List placed onto Release List or moved into procurement for CARES ED Program	Thursday, December 5, 2024
22		Thursday, February 27, 2025

[2] Draft (unissued) Surety Bonds and Letters of Credit for Bid Security must be submitted for review and approval by the Evaluation Team at least 10 Business Days prior to this deadline. See Section 8.7.1 (*Draft Bid Security*).

EXHIBIT B - INTERCONNECTION AND DELIVERY REQUIREMENTS

Each Bidder is responsible for determining all transmission interconnection and delivery-related rules, practices, and policies with which it must comply. Each Bid must comply with the general requirements outlined in Section 1 of this Exhibit B and with one of the interconnection options described in Sections 2 through 4 of this Exhibit B.

1. Interconnection and Delivery Requirements – General

The following interconnection requirements apply to all Bids, regardless of Facility location.

1.1. Transmission Projected Commercial Operation Date. GPC may decline to advance a Bid to the Short List or to execute an Awarded Contract with any Bidder if, in the opinion of GPC, the transmission facilities cannot be constructed in time to achieve Commercial Operation or Closing, as applicable, by the date set forth in the Solicitation Schedule. Except for the provision in Section 2.7 (*Facility Interconnecting Directly to GPC*) below for a Facility interconnecting to the Southern Company Transmission System via GPC, Bidder assumes all interconnection and delivery lead-time risk (if applicable) to meet the RCOD or RCD, as applicable.

1.2. Bid Price Assumptions. Each Bidder must, if the Facility's POI is not on the Southern Company Transmission System, state in its Bid the assumptions regarding interconnection and delivery costs that are included in its Bid price. Specifically, each Bid must include details of these costs and refer to any completed or active Interconnection Study results related to the Facility.

1.3. Bid Lead-Time Assumptions. Bidder must describe, with respect to the proposed Facility, its current status within the applicable interconnection process and its ability to meet the RCOD, or RCD, in the case of an APA or a BTA, based upon the applicable interconnection process timeline.

1.4. Interconnection Agreement Required. Each Winning Bidder must enter into an Interconnection Agreement with the appropriate Interconnection Provider, depending on the geographic location and interconnection configuration of the Facility. Each Bidder must contact the appropriate Interconnection Provider to obtain all relevant information and interconnection requirements. The submission of a Bid in response to this 2023 RFP does not constitute an interconnection request or an Interconnection Agreement. Bidder is solely responsible for all fees, deposits, and other charges in connection with its

interconnection request and the Interconnection Agreement. At any point in time, any Facility that is not a CFE-ATC Resource is prohibited from delivering output to the Point of Delivery that exceeds the lesser of the Generating Capacity or the Interconnection Limit; a CFE-ATC Resource is prohibited from delivering output to the Point of Delivery that exceeds the Interconnection Limit.

1.5. Timing and Notification of Initiating Interconnection Process (New Facility). At the time of Bid submission, Bidder must indicate if there is an existing interconnection request for the Facility (either in active study stage or if there is an IA that is in suspension), and if so, Bidder also must identify the Interconnection Provider, request number/identifier, and status. ~~If Bidder has an IA in suspension, Bidder must initiate the process with the appropriate Interconnection Provider to move out of suspension and back to active status no later than seven Days after notification that the Bid has advanced to the Competitive Tier. If an interconnection request has not been submitted at the time of advancement~~For Facilities not interconnecting to the Southern Company Transmission System, Bidders are responsible for understanding the interconnection requirements of the applicable Interconnection Provider and initiating the application and study process so as to comply with the ~~Competitive Tier~~RCOD requirements of this RFP. For Facilities interconnecting to the Georgia ITS, *see also* Section 3 (*Interconnection to the Electric System of an ITS Participant (>40 kV)*); for Facilities interconnecting to neither the Southern Company Transmission System nor the Georgia ITS, *see also* Section 4 (*Interconnection Outside Both the Southern Company Transmission System and Georgia ITS*).

If a Facility is interconnecting to the Southern Company Transmission System, Bidder must initiate the interconnection process ~~with the appropriate Interconnection Provider no later than seven Days after notification that the Bid has advanced to the Competitive Tier.~~

~~GPC has updated the Solicitation Schedule to provide that the Interconnection Request Submittal Deadline will be~~and obtain a queue position by no later than April 4, 2024, to ensure eligibility to participate in one of the FERC Order 2023 FERC-mandated transitional studies. This date is based on Southern Companies' intended compliance filing date of March 5, 2024, and assumes FERC will approve Southern Companies' request in their compliance filing to make FERC Order 2023 effective April 5, 2024. Unless a Bidder is able to obtain an LGIA under Order 2003, failure to participate in one of the FERC Order 2023 transitional studies, either the transitional serial facilities study or the transitional cluster study, will delay completion of the interconnection process to 2026 which would make the Bidder's ability to meet the Required COD of this RFP highly unlikely. Additional information regarding Southern Companies' implementation of FERC Order 2023, including any changes in the schedule, can be found on the Southern Company OASIS website (~~https://www.oasis.oati.com/SOCO~~https://www.oasis.oati.com/SOCO).

Regardless of the Interconnection Provider, if Bidder has an Interconnection Agreement in suspension, by no later than seven Days after notification that the Bid has advanced to the Short List, Bidder must initiate the process with the appropriate Interconnection Provider to move out of suspension and into active status.

1.6. Existing Qualifying Facility Interconnection Agreement (Existing Facility). If the Facility of a Winning Bidder has an existing Transmission Qualifying Facility Interconnection Agreement with GPC ("**QFIA**"), and the Facility has already reached COD or will reach COD before PPA execution, the QFIA will be converted to an LGIA or SGIA (defined below in Section 2.1 of this Exhibit B (*Procedure Guidance*)), as applicable, without additional studies or study fees.

2. Interconnection with the Southern Company Transmission System (>40 kV)

*The following requirements apply to a Bid for a Facility interconnecting to the transmission system of GPC or one of its regulated electric utility Affiliates (*i.e.*, Alabama Power or Mississippi Power) with a Point of Interconnection at greater than 40 kV.*

2.1. Procedure Guidance. If the Facility will interconnect to the Southern Company Transmission System, the evaluation of the Submission will assume Participant has executed either the small generator interconnection agreement ("**SGIA**") or a large generator interconnection agreement

("**LGIA**") and that either the small generator interconnection procedures ("**SGIP**") or large generator interconnection procedures ("**LGIP**") will apply. Generally, the SGIP is utilized for generators 20 MW or smaller and the LGIP for generators larger than 20 MW. The Southern Company Transmission System includes facilities owned by GPC or one of its regulated electric utility Affiliates (Alabama Power or Mississippi Power). The prompt submission of an accurate and complete application and prompt return of agreements will reduce the overall timeframe of the interconnection process. Each Bidder must determine all rules, practices, policies, and timelines with which its Facility must comply to interconnect with the Southern Company Transmission System. Bidder may obtain additional information on Southern Company's OASIS web site at:

http://www.oatioasis.com/SOCO/index.html

2.2. Bidder Cost Responsibility. If the Facility will interconnect with the Southern Company Transmission System, Bidder is responsible for all Interconnection Study-related costs, in addition to the interconnection costs and risk up to the POI. These costs generally include equipment such as the Facility generator step-up ("**GSU**") transformer (for conversion up to the interconnecting voltage level), Facility-side generator interrupting device, all Station Service equipment, tie-line (which carries electrical power and communications), and any additional equipment (such as a utility-owned interrupting device and metering needed to connect to the transmission facilities), as well as any additional real property for the interconnection substation and access and any operation and maintenance expenses and administrative costs. In addition, if applicable, Bidder is responsible for the costs, risk, and coordination of all Affected System Upgrades. It is Bidder's responsibility to determine and consider all information regarding interconnection costs in preparing its Bid.

2.3. Interconnection Impacts.

A. Southern Company Transmission System Interconnection Costs. Interconnection impacts to the Electric System are unique to the specific design and location of each Facility

Route, a Winning Bidder who enters into an Awarded Contract must also (i) with respect to Awarded Contracts that are PPAs, maintain, at its own expense, the Access Route in accordance with GPC's standards and to GPC's satisfaction throughout the PPA Term, and (ii) with respect to Awarded Contracts that are APAs or BTAs, validly transfer all real property rights required by GPC for access to and maintenance of the ICF Site and the Interconnection Facilities.

B. Notice to Proceed. Notice to proceed requirements for a Winning Bidder whose Facility will interconnect with GPC depend on the interconnection request/IA status at the time the Commission issues the Certificate of Public Convenience and Necessity:

i. A Winning Bidder with an active IA (i.e., IA not in suspension) must submit a notice to proceed to initiate construction of Interconnection Facilities by 14 Days after the Commission issues the Certificate of Public Convenience and Necessity;

ii. If Winning Bidder's Facility is the subject of an IA in suspension, Bidder must have requested to come out of suspension ~~on or before~~within seven days after advancement to the ~~Competitive Tier~~Short List as described in Section ~~4.6~~1.5 of this Exhibit B. If the request is still in re-study when the Commission issues the Certificate of Public Convenience and Necessity, Bidder must provide notice to proceed to initiate construction of the Interconnection Facilities within 14 Days after the re-study report is issued; or

iii. If the interconnection request is still in study phase or if not in suspension but IA has not been finalized, then within 45 Days after the IA is provided to Bidder for execution, Bidder must submit a notice to proceed to initiate construction of Interconnection Facilities. Depending upon when Bidder initiates the interconnection process, Bidder may be required to enter into an engineering and procurement agreement with GPC to assume cost responsibility and allow pre-construction activities, such as engineering work and procurement of long lead-time materials, to commence prior to execution of an IA with GPC.

2.7. Additional Guidance for Facilities Interconnecting to the Southern Company Transmission

System

A. POI. The POI refers to the point where the Interconnection Facilities connect to the Interconnection Provider's Electric System. The POI is not necessarily the same as the point of change of ownership of equipment.

B. Sample Diagrams. The example diagrams below are offered to assist Bidder in determining where the POI could be located for its Facility.

C. Additional Information. Information regarding interconnection to the Southern Company Transmission System may be found at Southern Company's OASIS website at http://www.oatioasis.com/SOCO/index.html. Information about Seller's interconnection under the Southern OATT (which can be found in the *Generator Interconnection* folder on the Southern Company OASIS home page. A few examples of documentation include Interconnection Requirements for Inverter-Based Generation, Generator Interconnection Business Practices, and Inverter-Based Electric Storage Operating Policy. If Bidder needs further clarification, please use the question and answer process available on the IE Website.