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January 8, 2024

Via Alternative Electronic Filing

Sallie Tanner
Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

Re: REVISED PROPOSED ORDER ADOPTING SETTLEMENT AGREEMENT AND CONSENT AGREEMENTS AS FINAL RESOLUTION OF COUNTYWIDE SAFETY PLANS AND CERTIFICATE AMENDMENT REQUESTS
Docket Nos. 29330, 29331, 30706, 30707

Dear Ms. Tanner:

Enclosed for filing please find the Revised Proposed Order Adopting Settlement Agreement and Consent Agreements as Final Resolution of Countywide Safety Plans and Certificate Amendment Requests. A hard copy of the enclosed filing will be provided to the Georgia Public Service Commission in compliance with the Alternative Electronic Filing Procedure. Thank you for your attention to this matter.

Sincerely yours,

Holland & Knight LLP

Lindsey A. Williamson

Lindsey Sciavicco Williamson

Enclosures

BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION
STATE OF GEORGIA

In Re:	)	**Docket No. 30707**
Application of Atlanta Gas Light Company	)	
for Amended Certificate of Public	)	
Convenience and Necessity for Hall County	)	
In Re:	)	**Docket No. 29331**
Hall Countywide Safety Plan	)	
In Re:	)	
Application of Atlanta Gas Light Company	)	**Docket No. 30706**
for Amended Certificate of Public Convenience	)	
and Necessity for Gwinnett County	)	
In Re:	)	
Gwinnett Countywide Safety Plan	)	**Docket No. 29330**

REVISED PROPOSED ORDER ADOPTING SETTLEMENT AGREEMENT AND CONSENT AGREEMENTS AS FINAL RESOLUTION OF COUNTYWIDE SAFETY PLANS AND CERTIFICATE AMENDMENT REQUESTS

These matters come before the Georgia Public Service Commission ("Commission") as a result of the proposed amendments to the Hall Countywide Safety Plan ("Hall CWSP"), the proposed amendments to the Gwinnett Countywide Safety Plan ("Gwinnett CWSP"), and amendments to the affected Certificates of Public Convenience and Necessity ("Certificates") in Hall County and Gwinnett County. The parties to the Hall CWSP docket are: Atlanta Gas Light Company ("AGL"), Liberty Utilities ("Liberty"), and the City of Buford ("Buford"). The parties to the Gwinnett CWSP docket are: AGL, Buford, the City of Sugar Hill ("Sugar Hill"), and the City of Lawrenceville ("Lawrenceville"). AGL, Liberty, Buford, and Commission Staff signed a Consent Agreement for the Hall CWSP attached hereto as Exhibit 1. AGL, Buford, Lawrenceville, Sugar Hill, and Commission Staff signed a Consent Agreement for the Gwinnett CWSP attached hereto as Exhibit 2. Additionally, AGL and Buford executed a settlement agreement, attached hereto as Exhibit 3, resolving issues between AGL and Buford for the Hall CWSP and Gwinnett CWSP (the "Settlement Agreement"), which further modifies the Gwinnett CWSP as it relates to AGL's and Buford's territories in Gwinnett County. Commission Staff does not oppose the Settlement Agreement. By this Order, the Commission adopts and approves the Settlement Agreement, the Hall CWSP Consent Agreement, the Gwinnett CWSP Consent Agreement, and the respective Certificates as modified by the Settlement Agreement.

I. JURISDICTION AND STATUTES AND COMMISSION RULES INVOLVED

The Commission has general jurisdiction over natural gas utilities under O.C.G.A. § 46-2-20, as well as 49 C.F.R. Part 191 and 192. Specifically, under O.C.G.A. § 46-2-20(i), the Commission maintains safety jurisdiction over all intrastate natural gas transmission and distribution facilities within Georgia, including those natural gas facilities which are owned and operated by municipalities. The Commission administers Title 46, Chapter 4, Article 2 of the Georgia Code entitled Intrastate Pipelines and Distribution Systems. This article provides that any person that constructs or operates any pipeline or distribution system, or any extension thereof, in intrastate commerce within the state of Georgia must obtain a Certificate from the Commission. O.C.G.A. § 46-4-21(a). Municipal gas systems operating outside of their home county which have utilized revenue bonds to finance construction of any part of their systems are required to obtain Commission certification. *See* Ga. Const. Art. 9, § 6, ¶ 2. The Commission has the power and authority to enforce the following provisions of the Georgia Constitution and the Georgia Code applicable to Certificates and Safety of Natural Gas Pipelines and Distribution Systems that the Commission Regulates: Ga. Const. Art. 9, § 6 ¶ ; O.C.G.A. §§ 46-2-20 through 46-2-33, 46-2-50 through 46-2-59, 46-2-71, 46-2-90 through 46-2-93, 46-4-20 through 46-6-31, and 50-13-1 through 50-13-23. The Commission further has the power and authority to enforce the Commission's Natural Gas Certification and Safety Rules: 515-9-1-.01 *et.seq*., 515-9-3-.01 *et. seq*., 515-9-6-.01 and 515-9-7-.01 *et. seq*.

Particularly relevant to this matter is the Commission's Countywide Safety Plan Rule, Rule 515-9-7-.01. Under Rule 515-9-7-.01(1)(c), the Countywide Safety Plan is "a written set of procedures approved by the Commission to minimize unsafe situations and the potential for confusion among emergency response personnel and the public in a county where more than one Operator has a natural gas Distribution System." The Countywide Safety Plan provides for the determination of two key components for the Rule's purposes: (a) boundary demarcation and (b) a written Countywide Safety Plan to be implemented in a given county. The Rule further states that the Countywide Safety Plan "must include the elements required by this Rule and shall not conflict with state and federal pipeline safety laws and regulations." Ga. Comp. R. & Regs. 515-9-7-.01(1)(c).

Countywide Safety Plans are particularly important in an "overlap area" or "overlapping area," which means "any geographic area where a natural gas operator has or seeks legal authority to provide (or is providing or running gas lines to provide) distribution pipeline facility service or has a transmission line providing distribution service in a county within five (5) miles of the gas facilities of another natural gas operator." Ga. Comp. R. & Regs. 515-9-7-.01(1)(e). The Countywide Safety Plan Rule requires as follows:

> For all overlap or overlapping areas and for counties in which an operator or Commission's Pipeline Safety staff has made a request pursuant to subsection (g), a clear demarcation of boundaries for distribution pipeline facilities shall be made in the overlapping area or county to eliminate or minimize the duplication or commingling of said facilities. Where possible, such demarcation shall utilize readily identifiable landmarks and natural or man-made boundaries so that first

> responders, customers, excavators, and all others can more easily determine which operator to contact in the event of an emergency and so that operators will be better able to quickly and safely respond to such emergencies.

Ga. Comp. R. & Regs. 515-9-7-.01(3)(a). The Rule provides relevant factors to consider when setting the Countywide Safety Plan boundaries which include but are not limited to:

> [W]hether a proposed boundary makes appropriate use of natural and artificial boundaries to promote safety, whether such boundary minimizes customer confusion and transfers, allows for the Operator to educate customers as well or better on safety issues and causes minimal confusion on safety matters for gas customers proposed to be transferred from one Operator to another under the proposed Plan, as well as any other factors relevant to safety and emergency response.

Ga. Comp. R. & Regs. 515-9-7-.01(3)(g)(4). The presence of clear, physical lines of demarcation are critical to the purpose of the Countywide Safety Plan Rule.

II. PROCEDURAL HISTORY & BACKGROUND

This matter is before the Commission as a result of a dispute between AGL and Buford regarding the Gwinnett CWSP and Hall CWSP. The dispute ultimately resulted in a Settlement Agreement between AGL and Buford, with the other natural gas Operators in Hall and Gwinnett Counties executing a Consent Agreement.

1. The Gwinnett CWSP

On February 17, 2016, the Commission approved the first Gwinnett CWSP and AGL's Application for an Amended Certificate. Additionally, on December 18, 2018 and on July 2, 2020, the Commission approved revisions to AGL's Certificate and the Gwinnett CWSP. Since then, a developer and new AGL customer purchased land in Gwinnett County for a new subdivision, The Vineyards at Mill Creek, formerly known as The Vines at Mill Creek, that crosses the countywide safety border between AGL and Buford. Phase I and Phase II of the subdivision are currently located in AGL's territory. Phase III of the subdivision is split between AGL's territory and Buford's territory.

As a result, on January 25, 2023, AGL, Buford, Lawrenceville, and Sugar Hill jointly petitioned the Commission to amend the Gwinnett CWSP and waive the hearing requirement set forth in Commission Rule 515-9-7-.01(4) (the "Joint Petition for Gwinnett"). The Joint Petition for Gwinnett requested to amend the Gwinnett CWSP at Boundary 3 to expand AGL's territory to allow AGL to serve the entire The Vineyards at Mill Creek subdivision, including all of Phase III. Additionally, the Joint Petition for Gwinnett sought Commission approval to revise Boundary 11 at multiple locations due to developments being designed that will expand across the existing boundaries between Buford and Lawrenceville. Also on January 25, 2023, AGL filed an Application to amend its Certificate in Gwinnett County to conform its certificated territory to the boundaries requested under the Joint Petition for Gwinnett.

AGL, Lawrenceville, and Sugar Hill executed the Consent Agreement for the amendment to the Gwinnett CWSP proposed in the Joint Petition for Gwinnett. Buford refused to sign the Consent Agreement, and the following dispute ensued.

2. The Hall CWSP

The Commission approved the first CWSP for Hall County, Georgia on December 20, 2016, along with AGL's Amended Certificate for Hall County. The Commission later approved revisions to the Hall CWSP on July 26, 2022, to correct AGL's certificated territory to include a parcel of land that AGL inadvertently omitted from the previously adopted Hall CWSP. Additionally, in 2022, the Commission approved an amendment to the Hall CWSP to expand Buford's territory to include a new subdivision (The Estates and Old Friendship) wholly within Buford's CWSP boundaries that was previously divided between AGL's and Buford's territory.

Since then, a new phase of the Reunion subdivision known as Phase 21 f/k/a Reunion West at Bailey Farms is being developed (for the purposes of this case, the subdivision will be referred to as "Bailey Farms"). The Bailey Farms subdivision will be constructed on a parcel of real estate that is currently divided between AGL's and Buford's safety boundaries with 14 parcels in AGL's territory and 126 parcels in Buford's territory. The only entrance to the Bailey Farms subdivision begins in AGL's territory at the intersection of Spout Springs Road and Williams Road before crossing into Buford's CWSP boundaries.

As a result of this new subdivision, on February 7, 2023, AGL, Buford, and Liberty jointly petitioned the Commission to amend the Hall CWSP and waive the hearing requirement set forth in Commission Rule 515-9-7-.01(4) (the "Joint Petition for Hall"). In the Joint Petition for Hall, the Operators requested the Commission amend the Hall CWSP at Boundary 1 to expand Buford's territory to include: the fourteen customers in Bailey Farms that are currently within AGL's certificated territory and CWSP boundaries; nineteen customers off Red Hawk Way that are in AGL's certificated territory and CWSP boundaries but that Buford has been serving since 2018 without a revision to the Hall CWSP; and six Buford customers located along Grove Park Drive at Fernleaf Court that Buford inadvertently left out of its service territory when drawing the Hall CWSP maps in 2016. AGL also filed on February 7, 2023, an Application to amend its Certificate in Hall County to conform its certificated territory to the Hall CWSP boundaries proposed in the Joint Petition for Hall.

AGL, Buford, and Liberty all signed the Consent Agreement for the Hall CWSP; however, when Buford refused to sign the Consent Agreement for Gwinnett County discussed above, the following dispute ensued and AGL withdrew its support for the Joint Petition for Hall.

3. The Dispute

The Joint Petition for Gwinnett and the Joint Petition for Hall were filed as a result of negotiations between AGL and Buford to exchange land under the safety boundaries in Gwinnett County and Hall County (the "Original Agreement"). AGL and Buford disagree about whether the Original Agreement was actually finalized. Under the Original Agreement, AGL would have

moved its certificated territory and CWSP boundaries in Hall County to allow Buford to serve the entire Bailey Farms subdivision. Additionally, in Hall County, AGL would have moved its certificated territory and CWSP boundaries to include within Buford's boundaries 17 customers (previously thought to be 19 as per the February 7, 2023 filing) off Red Hawk Way that are currently in AGL's territory, but that Buford has been serving since 2018. In exchange, Buford would have agreed to move its CWSP boundaries in Gwinnett County to allow AGL to serve the entire The Vineyards at Mill Creek subdivision, formerly known as The Vines at Mill Creek. This deal ultimately fell through when Buford refused to sign the Consent Agreement for Gwinnett County, and on October 13, 2023, AGL filed a withdrawal of its support for the previously filed proposed amendment to the Hall CWSP. Additionally, on October 13, 2023, AGL filed a notice of its intent to file a proposed amendment to the Hall CWSP to allow AGL to serve the Bailey Farms subdivision in Hall County.

On November 14, 2023, AGL filed its Petition for Expedited Approval of the Proposed Amendment to the Hall CWSP, proposing to serve the entire Bailey Farms subdivision made up of 14 new customers in AGL's current certificated territory in Hall County and 126 customers currently in Buford's CWSP boundaries. On November 27, 2023, AGL filed an Application for an Amended Certificate for Hall County requesting AGL's Certificate be amended to conform to the boundaries proposed in AGL's November 14, 2023 Petition. On November 29, 2023, Buford filed an Objection to AGL's Petition for Expedited Approval of the Proposed Amendment to the Hall CWSP. At the Commission's regularly scheduled Committee Meetings on November 30, 2023, the Commission held a discussion on this docket, and AGL and Buford both made appearances to present their respective positions. AGL argued that it should serve the Bailey Farms subdivision because it had an existing main at the entrance to the Bailey Farms subdivision on Spouts Springs Road and could have service to the Bailey Farms subdivision within two weeks. AGL argued against splitting the subdivision between two operators, with AGL serving fourteen customers and Buford serving 126 customers, because doing so would create a safety issue and render the Commission's Countywide Safety Plan Rule meaningless. Lastly, AGL argued that Buford could not serve the subdivision because it did not have an easement through which to deliver gas to Bailey Farms. Buford argued that the subdivision could be split between two Operators or that Buford should serve Bailey Farms because the majority of the homes are in Buford's territory. Buford acknowledged that it did not have an easement to serve Bailey Farms at that time. At the Commission's December 14, 2023 Committee Meeting, the Commission directed AGL to begin serving the fourteen customers in its territory to satisfy the developer's gas needs.

On December 12, 2023, Buford filed an Objection to the Proposed Procedural and Scheduling Order and a Supplemental Objection to the Proposed Procedural and Scheduling Order. At the Commission's regularly scheduled Committee Meetings on December 14, 2023, Staff presented a Proposed Procedural and Scheduling Order. AGL and Buford each presented arguments on December 14, 2023. As of the December 14, 2023 Committee Meeting and the Commission's regularly scheduled Administrative Session on December 19, 2023, Buford had still not secured an easement through which it could deliver gas to Bailey Farms. At the Commission's regularly scheduled Administrative Session on December 19, 2023, the Commission held the item as a result of AGL and Buford entering into settlement discussions to resolve the potential issues associated with the split subdivision. Those discussions resulted in the Settlement Agreement proposed in this docket.

4. The Settlement Agreement

AGL and Buford reached a Settlement Agreement that resolved the Hall CWSP and Gwinnett CWSP as it relates to the territorial dispute between AGL and Buford. On January 4, 2024, AGL and Buford filed the Settlement Agreement and the Joint Motion of Atlanta Gas Light Company and the City of Buford for Approval and Adoption of Settlement Agreement. Under the Settlement Agreement, AGL will cede territory to Buford under AGL's Certificate in Hall County and Boundary 1 of the Hall CWSP to allow Buford to serve natural gas to: (1) fourteen parcels in Bailey Farms; (2) seventeen parcels off Red Hawk Way in another Reunion subdivision; and (3) six parcels along Grove Park Drive at Fernleaf Court. AGL also agrees to cede territory to the City under AGL's certificate territory and Boundary 3 of the Hall CWSP to allow the City to serve natural gas to forty undeveloped acres in southern Hall County east of the City's territory that abuts Gwinnett County. Lastly, AGL agrees to cede territory to the City under AGL's certificated territory and the newly created Boundaries 23 and 24 of the Hall CWSP to include the entirety of Old Shadburn Ferry Road from the Gwinnett County line to Lake Lanier and Garrett Road from the Gwinnett County line to Lake Lanier. Also under the Settlement Agreement, Buford agrees to purchase at cost and AGL agrees to sell at cost the portion of AGL's distribution system that is physically located within Bailey Farms and serving the first fourteen parcels in Bailey Farms under the terms and conditions provided in the Settlement Agreement. The Hall CWSP is attached hereto in the Consent Agreement that is Exhibit 1 and in the Settlement Agreement that is Exhibit 3.

In exchange, under the attached Settlement Agreement, Buford agrees to cede territory to AGL under Boundary 3 of the Gwinnett CWSP to allow AGL to serve natural gas to: (1) seventy-eight parcels abutting AGL's territory in Gwinnett County for the Vineyards at Mill Creek; and (2) fifteen parcels off Alto View Drive in Gwinnett County. A copy of the proposed Gwinnett CWSP is attached hereto in the Consent Agreement that is Exhibit 2 and in the Settlement Agreement that is Exhibit 3.

Under the terms of the Settlement Agreement, the Settlement Agreement does not become effective until and unless each of the following conditions is met: (1) the Commission approves the Settlement Agreement and the incorporated Hall CWSP and Gwinnett CWSP in the attachments to the Settlement Agreement as a resolution to the Hall CWSP and Gwinnett CWSP, as well as AGL's Amended Certificates in Hall County and Gwinnett County, at which time the Parties anticipate that the Commission will enter an Order adopting and incorporating the terms and conditions of this Settlement Agreement; and (2) the Commission's Order approving the Settlement Agreement includes language agreeable to AGL that reaffirms the Commission's policy and practice regarding Commission Rule 515-9-7-.01 as it relates to preventing multiple operators from serving within certain developments and subdivisions and the applicability of such policy and practice to all future countywide safety plans.

It is expected that there will be no customer transfers under the Settlement Agreement in Hall County unless there is a request for natural gas service among the 14 new homes within AGL's current territory before Buford is able to acquire AGL's facilities as specified in the Settlement Agreement. There will be no customer transfers in Gwinnett County.

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. THE COMMISSION FINDS AND CONCLUDES that the Commission has general jurisdiction over natural gas utilities and the matters in the above-referenced dockets under 49 C.F.R. Parts 191 and 192; Const. Art. 9, § 6, ¶ 2; O.C.G.A. §46-2-20 *et seq*.; O.C.G.A. § 46-4-20 *et seq*.; and Commission Rule 515-9-7-.01.

2. THE COMMISSION FURTHER FINDS AND CONCLUDES AGL, Liberty, Buford, Lawrenceville, and Sugar Hill are each individually and collectively subject to the safety jurisdiction of the Commission.

3. THE COMMISSION FURTHER FINDS AND CONCLUDES that the Facilities Protection Unit Staff of the Commission has the authority to inspect the facilities of all Georgia natural gas providers in accordance with the legal citations contained *supra*.

4. THE COMMISSION FURTHER FINDS AND CONCLUDES that the Settlement Agreement and supporting documents, attached hereto, are both reasonable and in the public interest.

5. THE COMMISSION FURTHER FINDS AND CONCLUDES that the Consent Agreement for the Hall CWSP and supporting documents, attached hereto, are both reasonable and in the public interest.

6. THE COMMISSION FURTHER FINDS AND CONCLUDES that the Consent Agreement for the Gwinnett CWSP and supporting documents as amended by the Settlement Agreement, attached hereto, are both reasonable and in the public interest.

7. THE COMMISSION FURTHER FINDS AND CONCLUDES that AGL, Liberty, and Buford have waived any hearings and further findings or conclusions of law with respect to Docket Nos. 29331 and 30707 and agree that the Commission may enter an order based upon the Consent Agreement for the Hall CWSP and the Settlement Agreement to conform AGL's certificated territory to the safety-based boundaries in the Hall CWSP included in the Consent Agreement (attached as Attachment "A" to the Consent Agreement and "C" (Maps) thereto). The Settlement Agreement, Hall CWSP Consent Agreement, Hall CWSP Plan and Plan Maps are all incorporated into this Order as if specifically written herein.

8. THE COMMISSION FURTHER FINDS AND CONCLUDES that the Hall CWSP attached to and incorporated into this Order shall be the Countywide Safety Plan for Hall County until otherwise ordered by the Commission.

9. THE COMMISSION FURTHER FINDS AND CONCLUDES that compliance with all parts of the Hall CWSP shall begin immediately upon issuance of this Commission Order. All timelines and action items contained within the Settlement Agreement, Consent Agreement, and Hall CWSP shall be incorporated by reference into the body of this Order Adopting Settlement Agreement and the Consent Agreement as if

specifically written herein and the failure of the Operators to meet all such timelines or act on all such action items shall be a violation of this Order.

10. THE COMMISSION FURTHER FINDS AND CONCLUDES that all changes to the Hall CWSP shall be made in accordance with Commission's Countywide Safety Plan Rule 515-9-7-.01.

11. THE COMMISSION FURTHER FINDS AND CONCLUDES that AGL's Certificate of Public Convenience and Necessity shall be amended to conform to the Hall CWSP and maps attached hereto in the Settlement Agreement and Consent Agreement for the Hall CWSP. (Attachment "A" to the Consent Agreement and Attachments "A" and "C" thereto respectively (for the Plan and Plan Maps)).

12. THE COMMISSION FURTHER FINDS AND CONCLUDES that AGL, Buford, Lawrenceville, and Sugar Hill have waived any hearings and further findings or conclusions of law with respect to Docket Nos. 29330 and 30706 and agree that the Commission may enter an order based upon the Consent Agreement for Gwinnett County as further amended by the Settlement Agreement to conform AGL's certificated territory to the safety-based boundaries in the Gwinnett CWSP included in the Consent Agreement and as further modified by the Settlement Agreement (attached as Attachment 2 to the Settlement Agreement). The Settlement Agreement, Gwinnett CWSP Consent Agreement, and Gwinnett CWSP and Plan Maps are all incorporated into this Order as if specifically written herein.

13. THE COMMISSION FURTHER FINDS AND CONCLUDES that the Gwinnett CWSP in the Consent Agreement for Gwinnett County and as further modified by the Settlement Agreement attached to and incorporated into this Order shall be the Countywide Safety Plan for Gwinnett County until otherwise ordered by the Commission.

14. THE COMMISSION FURTHER FINDS AND CONCLUDES that compliance with all parts of the Gwinnett CWSP shall begin immediately upon issuance of this Commission Order. All timelines and action items contained within the Settlement Agreement, Consent Agreement, and Gwinnett CWSP shall be incorporated by reference into the body of this Order Adopting Consent Agreement as if specifically written herein and the failure of the Operators to meet all such timelines or act on all such action items shall be a violation of this Order.

15. THE COMMISSION FURTHER FINDS AND CONCLUDES that all changes to the Gwinnett CWSP shall be made in accordance with Commission's Countywide Safety Plan Rule 515-9-7-.01.

16. THE COMMISSION FURTHER FINDS AND CONCLUDES that AGL's Certificate of Public Convenience and Necessity shall be amended to conform to the Gwinnett CWSP and maps attached hereto in the Settlement Agreement. (Attachment 2 to the Settlement Agreement and Attachments "A" and "C" thereto respectively (for the Plan and Plan Maps)).

17. THE COMMISSION FURTHER FINDS AND CONCLUDES that based on the Commission's review of the proposed Countywide Safety Plan and Maps and Certificate Application Amendments, the Consent Agreements and the Settlement Agreement are a reasonable and appropriate resolution of the Hall CWSP, Gwinnett CWSP, and the Certificate proceedings for Hall County, Georgia and Gwinnett County, Georgia.

18. THE COMMISSION FURTHER FINDS AND CONCLUDES that the executed Consent Agreements for Hall County and Gwinnett County, the Settlement Agreement, the Hall CWSP, and Gwinnett CWSP attached hereto, are hereby adopted by the Commission, and shall constitute a final resolution of the Hall CWSP, the Gwinnett CWSP, and related Certificate dockets.

19. THE COMMISSION FURTHER FINDS AND CONCLUDES that where, as in this case, existing Countywide Safety Plan boundaries split pending or future planned subdivision developments or neighborhoods, particularly those with a single location for both ingress and egress or those lacking clear physical lines of demarcation, the Commission will adhere to past Commission practice and policy of having only one Operator within said development or neighborhood unless doing so is determined by the Commission to be unavoidable. In this case, the Commission determines that splitting a pending or future planned subdivision between multiple operators is avoidable.

IV. ORDERING PARAGRAPHS

WHEREFORE, IT IS HEREBY ORDERED that the Hall CWSP, the Consent Agreement for the Hall CWSP, the Gwinnett CWSP, the Consent Agreement for the Gwinnett CWSP as amended by the Settlement Agreement, and the Settlement Agreement are approved and adopted and shall constitute a final resolution of the Hall CWSP, the Gwinnett CWSP, and related Certificate dockets.

ORDERED FURTHER, that where, as in this case, existing Countywide Safety Plan boundaries split pending or future planned subdivision developments or neighborhoods, particularly those with a single location for both ingress and egress or those lacking clear physical lines of demarcation, the Commission will adhere to past Commission practice and policy of having only one Operator within said development or neighborhood unless doing so is determined by the Commission to be unavoidable. In this case, the Commission determines that splitting a pending or future planned subdivision between multiple operators is avoidable.

ORDERED FURTHER, that all findings of fact and conclusions of law contained within the preceding sections of this Order are hereby adopted as the findings and conclusions 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 action is taken by the Commission in Administrative Session on the 16th day of January 2024.

_____	_____
Sallie Tanner	Jason Shaw
Executive Secretary	Chairman
_____	_____
Date	Date

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing document upon the following persons via email as follows:

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This 8th day of January 2024.

HOLLAND & KNIGHT LLP



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