**BEFORE THE**

**GEORGIA PUBLIC SERVICE COMMISSION**

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| **Georgia Power Company’s 2023 Integrated Resource Plan Update** | **)**  **)**  **)**  **)** | **Docket No. 55378** |

**APPLICATION OF MICROSOFT CORPORATION**

**FOR LEAVE TO INTERVENE OUT OF TIME**

COMES NOW, Microsoft Corporation (“Microsoft”), pursuant to O.C.G.A.   
§§50-13-14 and 46-2-59, Commission Utility Rule 515-2-1.06, and the Procedural and Scheduling Order dated November 21, 2023 (“November Order”), files this Application for Leave to Intervene Out of Time in the above-captioned proceeding. In support of this Application, Microsoft respectfully shows the following:

On October 27, 2023, and as amended on January 10, 2024, Georgia Power Company (“Georgia Power”) filed its 2023 Integrated Resource Plan Update setting out actions necessary to meet customers’ forecasted energy requirements. On November 21, 2023, the Commission issued the November Order to direct certain procedures, set the hearing schedule and filing dates, and identify issues to be addressed in the proceeding. On December 4, 2023, in accordance with the November Order and Commission Utility Rule 515-2-1.04(3), Georgia Power provided first notice of the proceedings in the docket (“First Notice”).

Microsoft is a worldwide technology company that constructs, owns, and operates datacenters around the world. Datacenters require a reliable and resilient supply of electric power. These sites’ largest operating cost is energy. Microsoft is committed to industry-leading sustainability objectives: (1) by 2025, 100% of Microsoft’s energy supply will be 100% renewable for all its operations, and (2) by 2030, 100% of Microsoft’s electricity consumption, 100% of the time, will be matched by zero-carbon energy purchases. Accordingly region-specific electricity rates and the resource mix of power supply portfolios are significant considerations for Microsoft when evaluating possible sites for new facilities and expansions at existing facilities.

As required by Part IV of the November Order and O.C.G.A. § 46-2-59, Microsoft submits that the company has a substantial interest in these proceedings as a large consumer of Georgia Power with particularized needs for electric service, and its interest in this proceeding cannot be adequately represented by any other prospective intervenor or party. Microsoft established its presence in metropolitan Atlanta in 2007, and maintains corporate facilities at Atlantic Yards in West Midtown Atlanta. Microsoft is continuing to grow its presence in the state. In February 2021, Microsoft announced plans for a new datacenter region in Georgia, and is currently building those datacenter facilities in Douglasville, Palmetto, and East Point. Microsoft’s investment in these communities supports economic development in Fulton and Douglas counties and Greater Atlanta. In October 2023, Microsoft announced plans to develop a $1 billion+ datacenter near Rome, further increasing its presence in Georgia. By the end of 2026, Microsoft projects employment of 225 full-time employees and contractors across all its operational datacenter facilities in the state. As a customer of Georgia Power, the 2023 Integrated Resource Plan Update and the Commission’s rulings in this docket may significantly affect future supplies of electric service to Microsoft’s facilities that must be considered in conjunction with Microsoft’s sustainability commitments. Microsoft is not presently intending to submit direct testimony in these proceedings. Microsoft respectfully requests that the Commission grant Microsoft leave to intervene to participate fully as a party.



Microsoft respectfully requests that the following persons be included on the service list in this proceeding, and that all communications regarding this docket be directed to them:

Kimberly B. Frank

K&L Gates LLP

1601 K Street, N.W.

Washington, DC 20006

(202) 778.9064

[kimberly.frank@klgates.com](mailto:kimberly.frank@klgates.com)

Tyler Mauldin

Microsoft Corporation

200 17th Street NW

Atlanta, GA 30363

tylermauldin@microsoft.com

Microsoft requests the Commission to grant its intervention out of time. The Commission’s November Order directs interested entities to file an application to intervene within 30 days of publication of the First Notice. Georgia Power published First Notice on December 4, 2023, thereby setting January 3, 2024 as the deadline for timely interventions. Microsoft is submitting this Application with a filing date of January 16, 2024, which is 13 days after the deadline. Microsoft respectfully submits that good cause exists to grant its Application for intervention out of time. Microsoft’s intervention is at an early stage of proceedings. Microsoft’s late intervention will not delay or cause disruption to the proceeding, and no party will be harmed or prejudiced by the grant of this intervention. Microsoft submits that it will accept the record compiled to date.

*Wherefore*, for the foregoing reasons, Microsoft respectfully requests that the Commission accept Microsoft’s intervention out of time in this proceeding.

Respectfully submitted,

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| --- | --- | --- | --- |
| |  |  | | --- | --- | |  | Kimberly B. Frank  K&L Gates LLP  1601 K Street, N.W.  Washington, DC 20006  Tel: 202.778.9064  kimberly.frank@klgates.com | |  |

January 16, 2024

**BEFORE THE**

**GEORGIA PUBLIC SERVICE COMMISSION**

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| **Georgia Power Company’s 2023 Integrated Resource Plan Update** | **)**  **)**  **)**  **)** | **Docket No. 55378** |

**VERIFICATION**

Personally appeared before me the undersigned officer, duly authorized to administer oaths, Kimberly Brickell Frank, who after being duly sworn, deposes and states that she is an attorney authorized by Microsoft Corporation to execute this Verification and that the information contained in the **APPLICATION OF MICROSOFT CORPORATION FOR LEAVE TO INTERVENE OUT OF TIME** is true and correct to the best of her information and belief.

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Kimberly Brickell Frank

**BEFORE THE**

**GEORGIA PUBLIC SERVICE COMMISSION**

|  |  |  |
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| **Georgia Power Company’s 2023 Integrated Resource Plan Update** | **)**  **)**  **)**  **)** | **Docket No. 55378** |

**CERTIFICATE OF SERVICE**

I do hereby certify that I have this 16 day of January, 2024 electronically filed with the Georgia Public Service Commission and served the following parties with the foregoing **APPLICATION OF MICROSOFT CORPORATION FOR LEAVE TO INTERVENE OUT OF TIME**,by electronic mail.

*/s/ Kimberly Brickell Frank*

Kimberly B. Frank

K&L Gates LLP

1601 K Street, N.W.

Washington, DC 20006

Tel: 202.778.9064

kimberly.frank@klgates.com

**Service List**

Sallie Tanner  
Executive Secretary  
Georgia Public Service Commission  
244 Washington Street, SW  
Atlanta, GA 30334  
[stanner@psc.ga.gov](mailto:stanner@psc.ga.gov)

***For the Georgia Public Service Commission:***

Preston Thomas  
Staff Attorney  
Georgia Public Service Commission  
244 Washington Street, SW  
Atlanta, GA 30334  
[pthomas@psc.ga.gov](mailto:pthomas@psc.ga.gov)

***For Georgia WAND Education Fund, Inc.:***

Kimberly Scott

Georgia WAND Education Fund, Inc., Executive Director

250 Georgia Ave SE # 202

Atlanta, GA 30312

Main: (404) 524-5999, ext. 102

Direct: (678) 916-6320

Fax: (678) 528-2739

[kim@georgiawand.org](mailto:kim@georgiawand.org)

***For Georgia Power Company:***

Steven J. Hewitson  
Brandon F. Mazza  
Allison W. Pryor  
Troutman Pepper Hamilton Sanders LLP  
Bank of American Plaza  
600 Peachtree St., NE  
Suite 3000  
Atlanta, GA 30308-2216  
[Steven.hewitson@troutman.com](mailto:Steven.hewitson@troutman.com)   
[Brandon.marzo@troutman.com](mailto:Brandon.marzo@troutman.com)   
[Allison.pryor@troutman.com](mailto:Allison.pryor@troutman.com)

Cheryl Johnson

Georgia Power Company

241 Ralph McGill, Blvd., N.E.

Atlanta, GA 30308-3374

[cljohnson@southernco.com](mailto:cljohnson@southerco.com)

***For Georgia Association of Manufacturers, Inc.:***

Charles B. Jones, III  
Lloyd Avram  
Georgia Association of Manufacturers  
The Hurt Building  
50 Hurt Plaza, Suite 1620  
Atlanta, GA 30303  
[cjones@gamfg.org](mailto:cjones@gamfg.org)   
[lavram@gamfg.org](mailto:lavram@gamfg.org)

404-688-0555

Jeffry C. Pollock  
J. Pollock Incorporated  
14323 South Outer 40 Road, Suite 206N  
Town and Country, MO 63017-5734  
[jcp@ipollockinc.com](mailto:jcp@ipollockinc.com)

314-878-5814

***For Clean Energy Buyers Association:***

Scott F. Dunbar  
Partner, Keyes & Fox LLP  
1580 Lincoln St., Suite 1105  
Denver, CO 80203

(949) 525-6016  
[sdunbar@keyesfox.com](mailto:sdunbar@keyesfox.com)

Alicia Zaloga  
Assistant, Keyes & Fox LLP  
115 Kildaire Farm Road, Ste. 202-203  
Cary, NC 27511

(919) 825-1739  
[azaloga@keyesfox.com](mailto:azaloga@keyesfox.com)

***For Southern Alliance for Clean Energy, Inc*.*:***

Bryan Jacob  
Southern Alliance for Clean Energy, Inc.   
1455 Hampton Hill Drive

Alpharetta, GA 30022

[bryan@cleanenergy.org](mailto:bryan@cleanenergy.org)

770-891-5927

***For Georgia Interfaith Power & Light, Inc.:***

Jennifer Whitfield  
Bob Sherrier  
Southern Environmental Law Center   
Ten 10th Street NW, Suite 1050   
Atlanta, Georgia 30309

404-521-9900

[jwhitfield@selcga.org](mailto:jwhitfield@selcga.org)  
[bsherrier@selcga.org](mailto:bsherrier@selcga.org)

***For Metropolitan Atlanta Rapid Transit Authority:***

Kimberly A. Sturm  
Weissman PC  
One Alliance Center, Fourth Floor  
3500 Lenox Road  
Atlanta, GA 30326

404-926-4630  
[kaseys@weissmanlaw.com](mailto:kaseys@weissmanlaw.com)

Peter J. Andrews  
Metropolitan Atlanta Rapid Transit  
Authority  
2424 Piedmont Road, NE  
Atlanta, GA 30324  
[pandrews@itsmarta.com](mailto:pandrews@itsmarta.com)

***For Walmart, Inc.:***

Stephanie U. Eaton  
Carrie H. Grundmann  
Spilman Thomas & Battle, PLLC

110 Oakwood Drive, Suite 500

Winston-Salem, NC 27103  
Phone: (336) 631-1062  
Fax: (336) 725-4476

[seaton@spilmanlaw.com](mailto:seaton@spilmanlaw.com)  
[cgrundmann@spilmanlaw.com](mailto:cgrundmann@spilmanlaw.com)

Steven W. Lee  
Spilman Thomas & Battle, PLLC  
1100 Bent Creek Blvd., Suite 101

Mechanicsburg, PA 17050  
Phone: (717) 791-2012  
Fax: (717) 795-2743  
[slee@spilmanlaw.com](mailto:slee@spilmanlaw.com)

***For Georgia Center for Energy Solutions, Inc.:***

Peter Hubbard  
Georgia Center for Energy Solutions  
55 Leslie Street SE  
Atlanta, GA 30317  
[peter@georgia-ces.org](mailto:peter@georgia-ces.org)

***For Sierra Club:***

Isabella Ariza  
Dorothy E. Jaffe  
Zachary M. Fabish  
Sierra Club  
50 F Street NW, 8th Floor

Washington, DC 20001  
[Isabella.ariza@sierraclub.org](mailto:Isabella.ariza@sierraclub.org)  
[Dorijaffe@sierraclub.org](mailto:Dorijaffe@sierraclub.org)   
[Zack.fabish@sierraclub.org](mailto:Zack.fabish@sierraclub.org)

Curt Thompson  
Thompson & Associates Law Firm, PC  
3775 Venture Drive, D100  
Duluth, GA 30096  
[curtbthompson@bellsouth.net](mailto:curtbthompson@bellsouth.net)

404-643-2649

***For Advanced Power Alliance:***

William Bradley Carver Sr.  
Hall Booth Smith, P.C.  
191 Peachtree Street NE  
Suite 2900  
Atlanta, GA 30303

404-954-5000  
[bcarver@hallboothsmith.com](mailto:bcarver@hallboothsmith.com)

***For Southern Renewable Energy Association:***

Simon Mahan  
Southern Renewable Energy Association

11610 Pleasant Ridge Rd., Suite 103 #176

Little Rock, AR 72223

[Simon@southernwind.org](mailto:Simon@southernwind.org)

337-303-3723

***For Georgia Watch, Inc.:***

Liz Coyle  
Georgia Watch  
55 Marietta Street, Suite 903  
Atlanta, GA 30303  
[lcoyle@georgiawatch.org](mailto:lcoyle@georgiawatch.org)

404-525-1085 ext. 402

***For Resource Supply Management:***

Mr. Robert B. Baker

Robert B. Baker, P.C.

2480 Briarcliff Road, NE

Suite 6

Atlanta, Georgia 30329

[bobby@robertbbaker.com](mailto:bobby@robertbbaker.com)

706-207-5002

Mr. Jim Clarkson

Resource Supply Management

135 Emerald Lake Road

Columbia SC 29209

[jclarkson@rsmenergy.com](mailto:jclarkson@rsmenergy.com)

803-312-3500

***For the Georgia Coalition of Local Governments:***

Chandra Farley

John R. Seydel

City of Atlanta

Mayor’s Office of Sustainability and Resilience

55 Trinity Avenue

Atlanta, Georgia 30303

[cfarley@atlantaga.gov](mailto:cfarley@atlantaga.gov)

[jseydel@atlantaga.gov](mailto:jseydel@atlantaga.gov)

Alicia Brown

City of Savannah

Office of Sustainability

801 E. Gwinnett Street

Savannah, Georgia 31401

[Alicia.brown@savannahga.gov](mailto:Alicia.brown@savannahga.gov)

912-651-6838

David Nifong

City of Dacatur

City Manager’s Office

2635 Talley Street

Decatur, Georgia 30030

[David.nifong@decaturga.gov](mailto:David.nifong@decaturga.gov)

404-295-2764

Mike Wharton

Athens-Clarke County Unified Government

Sustainability Office

110 Bray Street

Atlanta, GA 30601

[Mike.wharton@accgov.com](mailto:Mike.wharton@accgov.com)

706-613-3838

H. Gordon Kenna

DeKalb County Government

Department of Public Works

1300 Commerce Drive

Decatur, GA 30030

[hgkenna@dekalbcountyga.gov](mailto:hgkenna@dekalbcountyga.gov)

404-371-2000

Ms. Kathy Reed

DeKalb County Government

Department of Planning and Sustainability

178 Sams Street

Decatur, Georgia 30030

[kdreed@dekalbcountyga.gov](mailto:kdreed@dekalbcountyga.gov)

404-859-9145

***For United States Department of Defense and All Other Federal Executive Agencies:***

John Joseph McNutt

Regulatory Law Counsel

U.S. Army Legal Services Agency

Office of the Judge Advocate General

Environmental Law Division

9275 Gunston Road, Ste. 4300

Fort Belvior, VA 22060-5546

(619) 302-9642

[John.j.mcnutt.civ@army.mil](mailto:John.j.mcnutt.civ@army.mil)

***For Heelstone Renewable Energy, LLC:***

Mr. Newton M. Galloway

Ms. Terri M. Lyndall

Galloway & Lyndall, LLP

The Lewis Mills House

406 North Hill Street

Griffin, Georgia 30223

[ngalloway@gallyn-law.com](mailto:ngalloway@gallyn-law.com)

[tlyndall@gallyn-law.com](mailto:tlyndall@gallyn-law.com)

***For Georgia Solar Energy Association:***

Donald Moreland

Georgia Solar Energy Association

1199 Euclid Avenue

Atlanta, GA 30307

P: (770) 548-2714

F: (404) 521-9909

[don@solarcrowdsource.com](mailto:don@solarcrowdsource.com)