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February 22, 2024

Ms. Sallie Tanner
Executive Secretary
Georgia Public Service Commission
244 Washington Street, S.W.
Atlanta, Georgia 30334

RE: Georgia Power Company's Application to Adjust Rates to Include Reasonable and Prudent Plant Vogtle Units 3 and 4 Costs; Docket No. 29849

Dear Ms. Tanner:

Enclosed for filing in the above-referenced proceeding is Georgia Power Company's Response to Concerned Ratepayers of Georgia's Petition for Rehearing and Reconsideration.

Please call me at (404) 885-3475 if you have any questions regarding this filing.

Sincerely,

Steven J. Hewitson

Enclosure

c: Parties of Record w/ Encl.

BEFORE THE
GEORGIA PUBLIC SERVICE COMMISSION

In Re: Georgia Power Company's Application to Adjust Rates to Include Reasonable and Prudent Plant Vogtle Units 3 and 4 Costs	))))	Docket No. 29849

GEORGIA POWER COMPANY'S RESPONSE TO CONCERNED RATEPAYERS OF GEORGIA'S PETITION FOR REHEARING AND RECONSIDERATION

I. INTRODUCTION

On January 31, 2024, the Georgia Public Service Commission (the "Commission") filed its Order Adopting Stipulation ("Order") in Docket No. 29849, Georgia Power Company's ("GPC" or the "Company") Application to Adjust Rates to Include Reasonable and Prudent Plant Vogtle Units 3 and 4 Costs. On February 12, 2024, Concerned Ratepayers of Georgia ("CRG") filed a Petition for Rehearing and for Reconsideration. For the reasons described herein, CRG's petition should be denied.

CRG seeks, among other things, to reopen the hearings and relitigate a variety of issues raised during the prudency hearings held on December 4-5, 2023. Every single issue that CRG advances in its petition was raised during the prudency hearings. CRG identifies no real issue warranting reconsideration of this Commission's decision to adopt the broad-based stipulated agreement between and among multiple parties, and instead seeks to continue litigating the prudency of the Vogtle project. Accordingly, the Commission should deny CRG's attempt to continue arguing this appropriately decided matter.

II. ARGUMENT

A petition for rehearing or reconsideration must show good cause for any relief to be granted. *See* Ga. Comp. R. & Regs. 515-2-1-.08 ("If, in the opinion of the Commission, good cause has been shown in said petition for rehearing, reconsideration and oral argument, the application shall be granted for such further relief as may be directed."). CRG fails to show any cause, much less good cause, for relief in its petition. Every single issue raised by CRG's petition was previously raised by CRG and litigated during the prudency proceeding. Whether raised in its post-hearing brief, in the testimony of its witness Patty Durand, or elsewhere, none of the issues in CRG's petition is new, novel, or unaddressed by this Commission.

Indeed, each and every issue raised in CRG's petition was previously addressed at length by CRG, the Company, and the Public Interest Advocacy Staff ("PIA Staff") in this docket. *See, e.g.,* Post-Hearing Brief of CRG at 1 and Post-Hearing Brief of Georgia Power Company at 8–11 (addressing incorrect allegations that the Commission failed to hold prudency hearings); Post-Hearing Brief of CRG at 4 (addressing CRG's cross-examination of witnesses); Post-Hearing Brief of CRG at 4–5, Post-Hearing Brief of Georgia Power Company at 6–8, Testimony of Patty Durand at 8, lines 7–19, and 12, lines 22–23 through 13, lines 1–8, and Testimony of Steven Prenovitz in GPC's Twenty-Eighth Semi-Annual Vogtle Construction Monitoring proceeding at 14, lines 8–23 (addressing whether the Stipulation is in the public interest); Post-Hearing Brief of CRG at 4, 8, and 10 and Post-Hearing Brief of Georgia Power Company at 14 (addressing PIA Staff's role in advocating for the public interest); Post-Hearing Brief of CRG at 8, Post-Hearing Brief of Georgia Power Company at 14–15, and Testimony of Patty Durand at 16–26 (addressing ratepayer impacts and alleged regulatory capture). These issues were litigated, evidence was presented to the Commission, and the Commission exercised its authority to decide each matter. CRG's petition is

no more than an attempt to re-litigate issues that the Commission has already considered, weighed, and ruled upon.

CRG's disappointment with the Commission's decision does not justify rehearing or reconsideration. CRG had ample opportunity in this proceeding – as well as the dozens of prior construction monitoring proceedings – to make its case. Having failed to do so, CRG takes one last bite at the apple, recycling old arguments and asserting that the Commission failed to consider those arguments. In so doing, CRG fails to identify any new argument or evidence, any failure to consider evidence or an argument, or any error of law that warrants reconsideration of the Commission's decision to adopt the historic, broad-based, and constructive stipulated agreement between the Company, PIA Staff, and multiple intervenors. Put simply, CRG is dissatisfied with the Commission's decision and seeks to air its grievances through this additional filing. The Commission should accordingly deny CRG's petition.

III. CONCLUSION

For the reasons set forth above, the Commission should deny CRG's Petition for Rehearing and Reconsideration.

Respectfully submitted, this 22nd day of February, 2024.



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