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***In Re*:**		
Troup Countywide Safety Plan	)	**DOCKET NO. 28944**
Application of Atlanta Gas Light Company for Amended Certificate of Public Convenience and Necessity for Troup County	)	**DOCKET NO. 29409**

ORDER ON AMENDING THE COUNTYWIDE SAFETY PLAN, CERTIFICATE AMENDMENTS, AND WAIVING THE HEARING REQUIREMENTS

These matters come before the Georgia Public Service Commission ("Commission") as a result of the filings by Atlanta Gas Light Company ("AGL"), the City of LaGrange ("LaGrange"), the City of Hogansville ("Hogansville"), and the City of West Point ("West Point") for Amendment to the Countywide Safety Plan ("CWSP"), Amendment, the affected Certificate, and waiver of the associated hearing requirements.

I. JURISDICTION

The Commission has general jurisdiction over natural gas utilities. O.C.G.A. § 46-2-20. Specifically, the Commission maintains safety jurisdiction over all natural gas transmission and distribution facilities within Georgia, including those natural gas facilities which are owned and operated by municipalities. O.C.G.A. § 46-2-20(i). The Commission further has jurisdiction over Georgia intrastate natural gas operators pursuant to *inter alia*: 49 U.S.C.S. §§ 60105 and 60122, 49 C.F.R. Part 191, 49 C.F.R. Part 192; O.C.G.A. §§ 46-2-21, 46-2-30, 46-2-53, 46-2-90, 46-2-91, 46-4-1, 46-4-31, 50-13-1 *et seq.*; and Commission Rules 515-7-1-.01 *et. seq.*, 515-9-1-.01*et.seq.*, 515-9-3-.01 *et. seq.*, 515-9-6-.01 and 515-9-7-.01 *et. seq.*

The Commission has further jurisdiction pursuant to Commission Rules 515-9-1-.01 and 515-9-3-.03; both adopting the Rules and Regulations prescribed by the United States Department of Transportation applicable to the "Transportation of Natural and Other Gas by Pipeline: Minimum Safety Standards" (49 C.F.R. Parts 40, 191, 192, 193 and 199) having been made the Rules and Regulations of the Commission for the safe installation and operation of all natural gas transmission and distribution facilities by companies subject to the jurisdiction of the Commission.

II. PROCEDURAL HISTORY

On April 26, 2023, AGL, LaGrange, Hogansville, and West Point filed a Joint Petition for Approval of the Proposed Amendment to the Troup Countywide Safety Plan (Docket 28944, Document 194206). The Joint Petitioners requested that the Commission waive the hearing requirement set forth in Commission Rule 515-9-7-.01(4). The Troup CWSP was previously amended on October 5, 2017.

On May 5, 2023, AGL filed an Application for an Amended Certificate of Public Convenience and Necessity for Troup County (Docket 29409, Document 194370). Under O.C.G.A. § 46-4-28(a) and Commission Rule 515-7-1-.13, the Commission may amend a Certificate. The proposed amendments will conform its current Certificate boundaries to the safety-based boundaries requested under the Commission's Countywide Safety Plan Rule. AGL's Certificate was previously amended on June 10, 2011. LaGrange, Hogansville, and West Point have home county status in Troup County.

Since then, the Troup County school system has requested natural gas from LaGrange in an area along US Highway 27, east of Interstate 185 that is not currently served by or assigned to any operator in Troup County under the Troup CWSP. Under the proposed amendment to the Troup CWSP, LaGrange will be serving approximately one new customer in Troup County, Georgia: the Troup County school system.

Per the Petition AGL, LaGrange, Hogansville and West Point have worked in good faith to divide additional unserved and unassigned area within Troup County, so that any

new customers will be able to receive natural gas service in a more timely manner. This proposed Troup CWSP creates Boundaries 1 through 9 (as shown in Attachment A). AGL, LaGrange, Hogansville, and West Point request that the Commission revise the Troup CWSP to create Boundaries 1 through 9 and to expand AGL's, LaGrange's, Hogansville's and West Point's service territories to include currently unassigned territory.

The Joint Petitioners request that the Commission approve the amended Troup CWSP and waive the hearing requirement set forth in Commission Rule 515-9-7-.01(4). There are no customer transfers involved in any of the petitions.

The Commission's Facility Protection Unit has reviewed the proposed requests and has no objection.

III. STAFF REVIEW AND RECOMMENDATION

Staff verified that the Applications were in compliance with Commission Rule 515-7-1.01 *et. seq.* (pertaining to Certificates of Public Convenience and Necessity). Staff consulted with the Facilities Protection Unit in regard to the proposed Troup CWSP safety-based boundaries, and reviewed the filed petition and the maps to verify that they corresponded with the map provided in the Troup CWSP. Based upon this review, Staff recommended approval of the Certificate Application which will modify AGL's currently held Certificate to be consistent with safety-based boundaries requested in Docket No. 28944, Troup CWSP. In addition to and having received no notice of any objections thereto pursuant to O.C.G.A. §50-13-13(a)(4), Staff recommended the approval of the request to waive the hearing.

Staff recommended that the Commission grant the petitions and waivers to the associated hearing requirements.

IV. STATUTES AND COMMISSION RULES INVOLVED

The Commission has the power and authority to enforce the provisions of: Ga. Const. Art. 9, § 6, ¶ 2, O.C.G.A. §§ 46-2-20 *et. seq.*, 46-2-30, 46-2-50, 46-2-51, 46-2-52, 46-2-53, 46-2-71, 46-2-90, 46-2-91, 46-4-20 *et. seq.*, 46-4-30 *et. seq.* and 50-13-1 *et. seq.*, applicable to Certificates of Public Convenience and Necessity and Safety of Natural Gas Pipelines/Distribution systems regulated by the Commission. The Commission has further power and authority to enforce the Commission's Natural Gas Certification and Safety Rules: 515-7-1 *et. seq.*, 515-9-1 *et. seq.*, 515-9-3 *et. seq.* and 515-9-7 *et. seq.* The Commission's specific Constitutional and statutory authorities can be found *inter alia*, at Ga. Const. Art. 9, § 6, ¶ 2, O.C.G.A. §§ 46-2-20, 46-2-21, 46-2-30, 46-2-51, 46-2-53, 46-2-54, 46-2-57, 46-2-58, 46-2-59, 46-2-71, 46-2-90, 46-2-91, 46-2-92, 46-2-93, 46-4-21, 46-4-22, 46-4-23, 46-4-24, 46-4-25, 46-4-26, 46-4-27, 46-4-28,

46-4-29, 46-4-30, and 46-4-31. The applicable Commission Rules involved are, *inter alia*, at 515-7-1-.01 *et. seq.*, 515-9-1-.01 *et. seq.*, 515-9-3.01 *et seq.*, and 515-9-7-.01.

V. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. THE COMMISSION FINDS AND CONCLUDES that it has jurisdiction over natural-gas utilities. (O.C.G.A. § 46-2-20). Specifically, the Commission maintains safety jurisdiction over all natural gas transmission and distribution facilities within Georgia, including those natural gas facilities which are owned and operated by municipalities. (O.C.G.A. § 46-2-20(i)). The Commission further has jurisdiction over Georgia intrastate natural gas operators pursuant to *inter alia*: 49 U.S.C.S. §§ 60105 and 60122, 49 C.F.R. Part 191, 49 C.F.R. Part 192; O.C.G.A. §§ 46-2-21, 46-2-30, 46-2-53, 46-2-90, 46-2-91, 46-4-1, 46-4-20 *et. seq.*, 50-13-1 *et seq.*; and Commission Rules 515-7-1-.01 *et. seq.*, 515-9-1-.01 *et. seq.*, 515-9-3-.01 *et. seq.*, 515-9-6-.01 and 515-9-7-.01 *et. seq.*

2. THE COMMISSION FURTHER FINDS AND CONCLUDES that AGL, LaGrange, Hogansville and West Point are each individually and collectively subject to the safety jurisdiction of the Commission.

3. THE COMMISSION FURTHER FINDS AND CONCLUDES that AGL, LaGrange, Hogansville and West Point are the only known providers in Troup County, Georgia

4. 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 pursuant to the legal citations contained *supra*.

5. THE COMMISSION FURTHER FINDS AND CONCLUDES that the Countywide Safety Plan for Troup County (see Exhibit "A" to the Consent Agreement (Attachment "One")) agreed to by the Operators and Staff, shall be the Countywide Safety Plan for Troup County until otherwise ordered by the Commission.

6. THE COMMISSION FURTHER FINDS AND CONCLUDES that compliance with all parts of the Countywide Safety Plan for Troup County (*id.*) shall begin immediately upon issuance of this Commission Order. All timelines and action items contained within the Consent Agreement and Troup Countywide Safety Plan 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 and/ or act on all such action items

shall be a violation of this Order.

7. THE COMMISSION FURTHER FINDS AND CONCLUDES that AGL, LaGrange, Hogansville, and West Point are hereby waive any hearings and/or further findings or conclusions of law with respect to the above-styled matters and agree that the Commission may enter an order based upon the agreement of AGL, LaGrange, Hogansville and West Point to comport their respective certificated territories to the safety-based boundaries agreed to in the Joint Consent Agreement attached hereto and the Countywide Safety Plan agreed to by AGL, LaGrange, Hogansville and West Point are and Staff (attached as Exhibit "A" to the Consent Agreement and "C" (Maps) thereto). The Troup Countywide Safety Plan Consent Agreement, Plan, and Plan Map(s) are all incorporated into this order as if specifically written herein.

8. THE COMMISSION FURTHER FINDS AND CONCLUDES that all changes to the Countywide Safety Plan for Troup County shall be made in accordance with *inter alia*, Commission Rule 515-9-7-.01 *et. seq.*

9. THE COMMISSION FURTHER FINDS AND CONCLUDES that AGL's Distribution Certificate of Public Convenience and Necessity shall be amended to conform to the safety-based boundaries agreed to by Staff and the Troup County Operators in accordance with the Countywide Safety Plan /Maps attached hereto. (Exhibit "A" to the Joint Consent Agreement and Attachments "A" and "C" thereto respectively (for the Plan and Plan Maps)).

10. THE COMMISSION FURTHER FINDS AND CONCLUDES that based on the Commission's review of the proposed Countywide Safety Plan /Maps and Certificate Application Amendments submitted, that such agreements by the Operators are respectively, a reasonable and appropriate resolution of the Countywide Safety Plan and Certificate proceedings for Troup County, Georgia.

11. THE COMMISSION FURTHER FINDS AND CONCLUDES that the executed Joint Consent Agreement and the Troup Countywide Safety Plan /Maps attached hereto, are hereby adopted by the Commission, and shall constitute a final resolution of the Troup Countywide Safety Plan and related Certificate dockets.

12. THE COMMISSION FURTHER FINDS AND CONCLUDES that as of the date of this Order, the proposed amendments to the Countywide Safety Plan and Certificates of Public Convenience and Necessity as requested herein, does not limit or otherwise interfere with any of the other current Troup County natural gas pipeline and/or distribution systems.

VI. ORDERING PARAGRAPHS

WHEREFORE, IT IS HEREBY ORDERED 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 by action of the Commission in Administrative Session on the 5th day of March 2024.

Sallie Tanner
Executive Secretary

3-5-24
Date

Jason Shaw
Chairman

3-5-24
Date