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Docket No. 29849

IN RE: **Georgia Power Company's Application to Adjust Rates to Include Reasonable and Prudent Plant Vogtle Units 3 and 4 Costs**

ORDER CORRECTING ORDER DENYING PETITION FOR REHEARING AND FOR RECONSIDERATION

The Commission issued an Order Adopting Stipulation on January 31, 2024, in this proceeding. Concerned Ratepayers of Georgia ("CRG") filed a Petition for Rehearing and Reconsideration on ("Petition") on February 12, 2024. Georgia Power Company and Public Interest Advocacy ("PIA") Staff submitted Responses in Opposition to the Petition on February 22, 2024, and February 21, 2024, respectively. The matter was discussed before the Commission at its regularly scheduled Energy Committee and was denied at the Commission's Administrative Session on April 2, 2024.

CRG claims that the Commission, in fact, did not hold a prudency review for Vogtle Units 3 & 4 during December 4th & 5th 2023 hearing. CRG argued that "[t]his failure to conduct a thorough prudency review and to involve all interested parties harms GA Power customers who …. are being forced to pay for nearly all cost-overruns… the Commission failed in its duty to review said costs as it had committed to dozens of times, if not hundreds of times, throughout construction of Units 3 and 4." *Petition, p.2.* CRG objects to the Commission's long-standing procedure of combining witnesses for panel presentation and for allowing CRG only 15 minutes for cross examination. CRG insisted that the Stipulation is contrary to the public interest and its signatories are unsophisticated negotiators. *Petition, p. 4.*

PIA Staff objected to CRG's Petition stating that: both Staff and GPC presented evidence on prudency and reasonableness; the Commission properly handled the proceeding; and Staff's actions were in the public interest. "The docket allowed for interested parties to intervene, file testimony, sponsor expert witnesses, and conduct cross examination of Staff, Company, and

intervenor witnesses during the two-day hearing." Staff emphasized that pursuant to the Administrative Procedure Act ("APA"), that "[u]nless precluded by law, informal disposition may be made of any contested case by stipulation, agreed settlement, consent order, or default." O.C.G.A. § 50-13-13(a)(4). *Staff Response, pp. 2-3.*

Georgia Power argued against the Petition stating CRG fails to show any cause, much less good cause, for relief in its petition. "[E]very single issue raised in CRG's Petition was previously addressed at length during the hearing. CRG fails to identify any new argument or evidence, or error of law that warrants reconsideration of the Commission's decision." *Georgia Power's Response, pp.2 -3.*

The Commission finds and concludes that CRG failed to demonstrate "good cause" as required by the Reconsideration Rule 515-2.1.08. Therefore, and for the reasons stated in the responses of PIA Staff and Georgia Power, CRG's Petition for Rehearing and Reconsideration of the Commission's January 31, 2024 Order Adopting Stipulation is hereby denied.

WEHREFORE IT IS ORDERED, that all findings, conclusions, statements, and directives made by the Commission and contained in 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 these matters 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 its Administrative Session on the 7thb day of May 2024.

Sallie Tanner
Executive Secretary

5-8-24
Date

Jason Shaw
Chairman

5-8-24
Date