FILED
AUG 21 2024
EXECUTIVE SECRETARY
G.P.S.C.

DOCKET# 44942
DOCUMENT# 219725

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IN RE: GEORGIA POWER COMPANY'S 2023 DISTRIBUTED GENERATION REQUEST FOR PROPOSALS

ORDER DENYING REQUEST FOR 2023 DG RFP BID REFRESH

On June 26, 2024, the Georgia Public Service Commission ("Commission") received an informal request by a bidder to allow all bidders in Georgia Power Company's ("Georgia Power" or "Company") 2023 Distributed Generation ("DG") Request for Proposals ("RFP") to refresh their bids. On June 5, 2024, 9 days before the bidder received notice that its bid would advance to fill a portion of the 2023 DG RFP portfolio, a message was sent through the Independent Evaluator ("IE") website to Georgia Power, the IE, and Commission Staff ("Staff") to request a chance to refresh its bid that was 9 months old. Georgia Power responded on June 6, 2024, stating that, "per 2023 DG RFP Section 4.1.2, any attempt by a Bidder to increase its Bid Price (and thus increase its Contract Energy Price) is grounds for rejection of the Bid. Further, as a matter of fairness to all Bidders, GPC will not allow any Bidder to increase its Bid Price. If Bidder can no longer honor its Bid Price, Bidder may withdraw its Bid in accordance with 2023 DG RFP Section 6.17 and rebid when the 2024 DG RFP opens, which is expected to occur October 2024."

In a June 13, 2024 Order, the Commission approved a Bid Refresh for the Clean and Renewable Energy Subscription ("CARES") RFP for bidders that had posted its bid security. The refresh was done to address concerns of unknown industry changes from recently announced tariffs on bifacial solar modules and lithium-ion non-electrical vehicle ("EV") batteries.

The next Georgia Power DG RFP, the 2024 DG RFP, has already been posted to the IE website for comments by bidders and interested parties with bids tentatively due by November 5,

2024. The 2023 DG RFP is currently in the contracting phase. Allowing a 2023 DG RFP bid refresh would have to apply to all bidders which would disrupt the current RFP process. Bids in the 2023 DG RFP have either been released, have chosen to be released, have been presented contracts for signature, or have signed contracts which will be presented to the Commission for certification within the next 30 days. Staff recommended to deny the informal request to allow 2023 DG RFP bidders to refresh bid prices.

The Commission approved Staff's recommendation at the August 6, 2024 Administrative Session.

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WHEREFORE IT IS ORDERED that the request to allow all bidders in the 2023 Distributed Generation Request for Proposals to refresh their bids, is hereby denied.

ORDERED FURTHER, that all findings, conclusions, statements, and directives made by the Commission and contained in the foregoing sections of 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 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 6th day of August, 2024.

Sallie Tanner
Executive Secretary

8-21-24
Date

Jason Shaw
Chairman

8-21-24
Date