Exhibit B

COMMISSIONERS:

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DOCKET NO. 15296
FIRST REVISED NOTICE OF PROPOSED RULEMAKING
RULE CHAPTER 515-7-8 SERVICE QUALITY STANDARDS FOR CERIFICATED MARKETERS AND REGULATED PROVIDERS

TO:
(a) Legislative Counsel—State of Georgia
(b) All Parties of Record—Docket No. 15296
(c) All Certificated Natural Gas Marketers
(d) Local Gas Companies
(e) Affected Commission Staff
(f) All Parties on Rulemaking List

FROM: Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334

IN RE: First Revised Notice of Proposed Rulemaking to Amend Existing Commission Rule Chapter 515-7-8: Service Quality Standards for Certificated Marketers and Regulated Providers

All interested parties are hereby notified pursuant to Ga. Laws 1964, pp. 338, 342, as amended Official Code of Georgia Annotated ("O.C.G.A.") § 50-13-4, that the Georgia Public Service Commission ("Commission") intends to consider the adoption of proposed rule amendments specifically regarding Commission Utility Rules 515-7-8.

BY THE COMMISSION:

On October 3rd, 2023, the Commission issued the original Notice of Proposed Rulemaking ("NOPR") for public consideration and comment. (Docket No. 15296, Document No. 215846).

At its regularly scheduled **July 18, 2024**, Administrative Session, the Commission issued this First Revised Notice of Proposed Rulemaking. The rules proposed in this First Revised NOPR for Utility Rule 515-7-8 shall be considered for adoption at the Commission's regularly scheduled Administrative Session on **October 15, 2024 at 9:30 a.m.** to be held in the Commission's hearing room on the first floor of 244 Washington Street SW., Atlanta, Georgia 30334. This rule shall become effective as provided for by law, twenty (20) days after its adoption by the Commission and subsequent filing with the Secretary of State.

The issuance of this First Revised Notice of Proposed Rulemaking supersedes the original NOPR issued in this Docket. All prior proposed rules and timelines contained in the original NOPR are superseded by this First Revised NOPR.

The general authority for adoption of these Rules is found in O.C.G.A. § 46-2-30. Upon request by any interested parties either prior to the exception of the Rules or within thirty (30) days thereafter, pursuant to O.C.G.A. § 50-13-4-(a)(2), the Commission shall issue a concise statement of the principal reasons for and against adoption of the Rules and incorporating the reasons for overruling the consideration, if any, urged against their adoption.

I. NOTICE OF PROPOSED RULEMAKING

A. Introduction and Jurisdiction

Since 1997, the Georgia Public Service Commission has been charged with the implementation and administration of the State's "Natural Gas Competition and Deregulation Act," O.C.G.A. § 46-4-150 et seq.

B. Synopsis and Explanation of Proposed Rule

The Commission's primary goal in issuing this NOPR is to amend existing Commission Rule 515-7-8, Service Quality Standards for Certificated Marketers and the Regulated Provider, to provide clarification regarding the reporting and penalty timeline.

C. Proposed Rule

Pursuant to the requirements of the Georgia Administrative Procedures Act at O.C.G.A. §50-13-4(a)(1), the Commission proposed to adopt amendments to Chapter 515-7-8 of its Utility Rules. The full text of the proposed amended rule is set forth hereinafter**.**

RULES OF GEORGIA PUBLIC SERVICE COMMISSION
515-7 GAS UTILITIES
CHAPTER 515-7-8
SERVICE QUALITY STANDARDS FOR CERIFICATED MARKETERS AND REGULATED PROVIDERS

515-7-8 SERVICE QUALITY MEASURES (SQMs) ~~STANDARDS~~ FOR CERTIFICATED MARKETERS ~~AND REGULATED PROVIDERS~~

Rule 515-7-8-.01 Commission Authority and Scope

The Georgia Legislature has empowered the Georgia Public Service Commission to promulgate rules and regulations to establish Service Quality Measures (SQMs) ~~standards~~ for each certificated Marketer ~~and regulated provider~~ in Georgia.

Rule 515-7-8-.02 Definitions

Terms used in these rules have the following meaning:

(a) "Act" means the Natural Gas Competition and Deregulation Act, as provided for in Official Code of Georgia Annotated (O.C.G.A.) § 46-4-150 et seq.

(b) "Ancillary service" means a service that provides necessary support ~~is ancillary~~ to the receipt or delivery of natural gas, including without limitation, storage, balancing, peaking, and customer services.

(c) "Benchmark" means a standard or point of reference against which a Service Quality Measure (SQM) may be compared or assessed. For the purposes of this rule, the Commission has established benchmarks for several Service Quality Measures (SQMs).

(d~~c~~) "Commission" means the Georgia Public Service Commission.

(e~~d~~) "Commodity sales service" means the sale of natural gas exclusive of any distribution or ancillary service.

(f~~e~~) "Consumer" means a retail customer of commodity sales service or of firm distribution service who uses such service or services primarily for personal, family, or household purposes.

(g~~f~~) "Customer service" means a function related to serving a retail customer including without limitation, billing, meter reading, turn-on service, and turn-off service. Notwithstanding any provision of law to the contrary, any person may perform one or more customer services without first becoming certificated in accordance with O.C.G.A. § 46-4-153; provided however, that such service may only be performed in compliance with all state and federal laws pertaining to the safety of natural gas pipelines and distribution systems and any other applicable safety standards.

(h) “Data Reporting Filing” means the Marketer’s monthly filing of the tracked data within a recording period.

(ig) "Distribution service" means the delivery of natural gas by and through the intrastate instrumentalities and facilities of a gas company or of a marketer certificated pursuant to O.C.G.A. § 46-4-153, regardless of the party having title to the natural gas.

(jh) "Electing Distribution Company" or "EDC" means a gas company that elects to become subject to the provisions of the Act and satisfies the requirements of O.C.G.A. § 46-4-154.

(ki) "Gas" means natural gas.

(lj) "Gas company" means any person to whom a certificate of public convenience and necessity has been issued by the Commission to own, operate, acquire, or construct any intrastate pipeline or distribution system, or any extension thereof, for the sale of natural gas.

(mk) "Interruptible" means a type of distribution service that is subject to interruption or curtailment.

(nl) "Marketer" means any person certificated by the Commission to provide commodity sales service or distribution service pursuant to O.C.G.A. § 46-4-153 or ancillary services incident thereto. For purposes of this Rule, the term Marketer includes the Regulated Provider as a separate entity from any other Marketers.

(o) “Recording period” means the month in which required data is tracked pursuant to the Commission approved SQMs rules.

(p) “Remediation period” means the time allowed by this rule for a marketer to correct its failure to meet a service quality measure (SQM) benchmark.

(qm) “Regulated provider of natural gas” means the entity selected by the Commission to provide consumers with natural gas commodity service and ancillary services incident thereto in accordance with O.C.G.A. § ~~Code Section~~ 46-4-166.

(rn) “Retail customer” or “retail purchaser” means a person who purchases commodity sales service or distribution service, and such purchase is not for the purpose of resale.

(s)” Staff” means the Georgia Public Service Commission Staff.

(t) “Passing Remediation” means a Marketer has successfully met an SQM benchmark established by the Commission ~~during~~ in the month immediately after the Remediation Period as defined in section 515-7-8-.12. If the Marketer does not achieve a passing remediation, it is considered a failed remediation, and the Marketer will be subject to a penalty.

Rule 515-7-8-.03 Service Quality Measures (SQMs) ~~Standards~~: Customer Service, Billing, and Meter Reading

Every Marketer shall be required to meet SQMs ~~service quality standards~~ to ensure that quality service is afforded to all natural gas customers in Georgia. Specifically, all Marketers shall meet Commission established benchmarks in the following areas:

a. Call Center Service Level;
b. Requests for information from the EDC as authorized by the Tariff or Commission Order and certain requests as determined necessary by the Commission;
c. Billing Accuracy and Timeliness;
d. Responsiveness to Consumer Inquiries and Complaints;
e. Meter Reading Accuracy, if the M~~ar~~keter either directly or through a third party is performing the meter reading function;
f. Meter Reading Timeliness, if the Marketer either directly or through a third party is performing the meter reading function;
g. Transmittal of Meter Reading Data to the EDC, including Timeliness and Accuracy of data, if the marketer either directly or through a third party is performing the meter reading function; and
h. Transmittal of accurate and timely electronic transactions of consumer data to the EDC.

If a Marketer fails to meet an SQM benchmark established by the Commission, the Marketer shall notify Staff of the missed SQM benchmark by highlighting the failing percentage in that month's reporting filing. This notice does not require the Marketer to make a separate filing from the monthly reporting filing.

Rule 515-7-8-.04 Service Quality Measure (SQM): Call Center Service Levels

The purpose of this SQM is to measure the percentage of calls answered within 180 seconds or less during a month to ensure a prompt response to a call. This SQM will be measured over one (1) calendar month.

Marketers shall be responsible for answering at least 80% of calls within 180 seconds. If placed into an Interactive Voice Response (IVR), the 180 seconds start when the customer makes the selection to speak with an agent.

The Marketer, at a minimum, shall meet the established SQM benchmark of 80% for Call Center Service Level. The formula for measuring this benchmark shall be as follows:

(Answered Calls/ Total Received Calls) *100

For purposes of calculating the formula described above, the following terms shall have the following definitions:

(i) "Answered Call" means any call answered by a Marketer within 180 seconds or less and does not include any calls that meet the definition of a "Customer Terminated Call" that were terminated prior to 180 seconds.

(ii) "Customer Terminated Call" means (A) any call terminated by the customer and (B) any call terminated by the customer where prior to speaking with agent, the customer had requested a call back. A "Customer Terminated Call" shall not be included in the numerator or denominator in the above-described formula if the call is terminated prior to 180 seconds. A "Customer Terminated Call" shall be included in the denominator but not the numerator in the above-described formula if the call is terminated after 180 seconds.

(iii) "Total Received Calls" means all calls received by the Marketer within a recording period in which a customer makes the selection to speak with an agent and only excludes those calls that meet the definition of a "Customer Terminated Call."

Rule 515-7-8-.05 Service Quality Measure (SQM): Billing Accuracy

The purpose of this SQM is to measure the accuracy of a bill sent to a customer by a Marketer versus the number of bills corrected over a period of one(1) month. Marketers shall be responsible for maintaining a 98.5% monthly billing accuracy rate.

The Commission defines inaccurate bills as those bills that were sent to consumers but have to be cancelled and re-billed or those bills that have to be corrected due to Marketer error. Any cancelations or corrections due to meter reading errors or any other error caused by the EDC will not be counted against the marketer.

Rule 515-7-8-.06 ~~4~~ Service Quality Measure (SQM) ~~Standards~~: Responsiveness to the Georgia Public Service Commission

Every Marketer shall be required to meet each SQM benchmark ~~service quality standards~~ to ensure compliance with Commission Orders. Reporting is not required for this measure.

Rule 515-7-8-.07 Service Quality Measure (SQM): Meter Reading Accuracy, Meter Reading Timeliness, Transmittal of Meter Reading Data to the EDC

Until such time that the Commission determines that meter reading is a competitive service performed by the Marketers, reporting is not required for these measures.

Rule 515-7-8-.08 Service Quality Measure (SQMs): Transmittal of accurate and timely electronic transactions of consumer data to the EDC

Until such time that the Commission determines that transmittal of accurate and timely electronic transaction of consumer data to the EDC is a required metric, reporting is not required for these measures.

Rule 515-7-8-.09 Additional Service Quality Measures

In addition to the SQMs set forth in this Rule, the Commission may establish additional SQMs as the Commission may from time to time deem necessary.

Rule 515-7-8-.10~~06~~ Methodology for Establishment and Review of Benchmarks and Penalties

a. The Commission shall determine the appropriate benchmarks necessary to measure whether a Marketer ~~or regulated provider~~ has complied with the SQMs ~~service quality standards~~ established by the Commission pursuant to this Rule, as well as the appropriate penalties that may be assessed against a Marketer ~~or regulated provider~~ that fails to comply with such SQMs ~~service quality standards~~;

b. The Commission reserves the right to conduct a hearing for the purpose of establishing the appropriate benchmarks to be utilized in determining whether a Marketer has complied with the SQMs ~~service quality standards~~ established herein, as well as the appropriate penalties to be assessed against a Marketer ~~or regulated provider~~ that fails to comply with such SQMs ~~service quality standards~~. Prior to such hearing, the Marketers, the Commission Staff and any other interested party shall file any proposed benchmarks and penalties for consideration by the Commission. Following such hearing, the Commission shall issue an Order approving and adopting appropriate benchmarks and associated penalties; and

c. Following the establishment of initial benchmarks and penalties, the Commission may conduct hearings annually for the purpose of reviewing the SQMs ~~service quality standards~~ adopted by the Commission, as well as the benchmarks and penalties established as described in Section (b) above. Prior to such annual hearings, the Marketers, the Commission Staff and any other interested party may file proposed revisions to the SQMs, ~~service quality standards~~ benchmarks and penalties for consideration by the Commission.

Rule 515-7-8-.11~~07~~ Reporting and Compliance

Each Marketer shall file reports with the Commission demonstrating its performance with each SQM ~~regard to the service quality standards~~ established by the Commission. Such reports shall

be filed by the 15th of the month following the recording period, and in a form approved ~~at least on a quarterly basis, or on some other periodic basis if ordered~~ by the Commission.

Rule 515-7-8-.12 Remediation

Marketers are expected to meet the Commission established SQM benchmarks each month. If the Marketer fails to meet an SQM benchmark, remediation may be required as set forth in this Rule.

(a) Call Center Service Level Remediation

For the Call Center Service Level, should a Marketer miss this benchmark twice within a 12-month period, such Marketer shall go into a 3-month remediation period that will begin on the first day of the month immediately following the second month in which the Marketer missed the benchmark; and will continue for two (2) additional consecutive months.

Such Marketer shall file with the Commission a Remediation Action Plan (RAP) to identify and explain the deficiency, specify how the deficiency will be remedied, and provide a timetable for remedial activities. The filing shall be made by no later than the last day of the first month of the remediation period. All remedial activities must be completed by the end of the remediation period.

At the conclusion of the remediation period (which will be on the last day of the third month), the Marketer will have fifteen (15) days to file with the Commission a Remediation Report that demonstrates its compliance with the benchmark that is the subject of the RAP. If the deficiencies are not eliminated and the established benchmark is not met, then the Marketer will be assessed a penalty. This penalty will be due on the 15th of the following month.

In order to achieve a passing remediation and avoid a penalty, the Marketer, at a minimum, shall meet a 70% benchmark during the ~~second~~ third month of the remediation period, and the established SQM benchmark of 80% ~~during~~ in the month following the third month of the remediation period. Marketers failing their remediation because they did not meet the benchmark in the ~~second~~ third and ~~third~~ in the following month, will be assessed a penalty. That penalty will continue for every month thereafter until the marketer meets the established benchmark.

(b) Billing Accuracy Remediation

For the Billing Accuracy SQM, should a marketer miss this benchmark twice within a 12-month period, such Marketer shall go into a 3-month remediation period that will begin on the first day of the month immediately following the second month in which the Marketer missed the benchmark; and will continue for two (2) additional consecutive months.

Such Marketer shall file with the Commission a Remediation Action Plan (RAP) to identify and explain the deficiency, specify how the deficiency will be remedied, and provide a timetable for

remedial activities. The filing shall be made by no later than the last day of the first month of the remediation period. All remedial activities must be completed by the end of the remediation period.

At the conclusion of the remediation period (which will be on the last day of the third month), the Marketer will have fifteen (15) days to file with the Commission a Remediation Report that demonstrates its compliance with the benchmark that is the subject of the RAP. If the deficiencies are not eliminated and the established benchmark is not met, then the Marketer will be assessed a penalty. This penalty will be due on the 15th of the following month.

In order to achieve passing remediation and avoid a penalty, the Marketer, at a minimum, shall meet the established SQM benchmark of 98.5% during the second and third month of the remediation period. Marketers failing their remediation because they did not meet the benchmark in the second and third month, will be assessed a penalty. That penalty will continue for every month thereafter until the marketer meets the established benchmark.

Rule 515-7-8-.13~~08~~ Penalties

Pursuant to O.C.G.A. § 46-4-158.1(c), failure to meet an SQM benchmark shall subject a certificated Marketer to fines as determined by the Commission.

The Marketer shall be assessed a penalty after a failed remediation period as explained in Rule 515-7-8-.12.

The presumptive penalty for non-compliance with any SQM benchmark, shall be $25,000 per each non-compliance event.

Marketers shall deposit the penalties directly into the Universal Service Fund (USF) escrow account by electronic wire transfer, certified check, or cashier's check. Payments are due by the 15th of the month following the Remediation Report and every 15th of the subsequent month thereafter, when applicable (if non-compliance continues). All penalties will be subject to Commission discretion and Staff, or any interested party may petition the Commission to have penalties adjusted.

~~Failure to comply with any service quality standards adopted by the Commission shall subject a Marketer or regulated provider to civil penalties as determined by the Commission.~~

Rule 515-7-8-.14 Rolling Probation Period

For a period of one (1) year after the filing date of the remediation report, the Marketer will remain subject to a penalty for each recording period that it is not in compliance with the established SQM benchmark that was subject to remediation. The Marketer will not be given remediation opportunities again for the same benchmark until such time as the Marketer has demonstrated compliance with the benchmark for twelve (12) consecutive months. After the probation period has ended, the Marketer will be allowed to participate in the remediation

procedures set forth in this Rule. During this period, Marketers will not be penalized in the event of force majeure as defined on 515-7-8-.15.

Rule 515-7-8-.15~~09~~ Force Majeure

The Commission recognizes that a Marketer's ~~or Regulated Provider's~~ performance data may be influenced by factors beyond its control. Accordingly, in the event of a force majeure, as defined by Rule 12 of AGLC's Commission-approved Tariff, a Marketer ~~or regulated provider~~ may file a petition for an exception with the Commission seeking to have the scheduled SQMs ~~service quality standards and/or benchmark~~ results modified. The Marketer ~~or regulated provider~~ will also be allowed to file an expedited petition seeking immediate relief from a payment of penalties as set forth in these Rules in the event of a force majeure. In any such petition, the Marketer ~~or regulated provider~~ shall have the burden of demonstrating that the benchmark was not met due to causes beyond the Marketer's ~~or regulated provider's~~ control and which could not have been avoided by exercise of due care. The filing of any such petition shall not contain any payments under these Rules unless otherwise ordered by the Commission.

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The Commission adopted the foregoing Notice of Proposed Rulemaking at its Administrative Session held at **9:30 a.m. on July 18, 2024** , at its offices located at 244 Washington Street, S.W., Atlanta, Georgia 30334.

All interested parties who desire to do so may submit comments, data, views, arguments, or any other relevant matters in writing to the Commission concerning the proposed Rules. Such written material must be delivered to the Commission by no later than **4:00 p.m. on August 23, 2024.** The Commission requests that, where possible, comments include specific proposed edits to the Rules.

Any written materials are to be filed with:

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

All persons interested in presenting views or arguments orally should present a written request for an oral hearing by **August 6, 2024**. If by, **August 6, 2024,** twenty-five (25) persons who will be directly affected by the proposed Rules request an oral hearing, or if a government subdivision or an association having not less than twenty-five (25) members request an oral hearing, then oral comments and remarks may, in the Commission's discretion, be received by its

members at its office at the time and place set for the Commission's consideration of the rules as delineated above. Otherwise, the Commission shall consider only those written comments filed in accordance with the provisions of this notice. If such requests are made, Oral Arguments will be set on **September 12, 2024** following committees.

The authority for adoption of these Rules is found in O.C.G.A. § 46-2-30. Upon request by any interested parties either prior to the exception of the Rules or within thirty (30) days thereafter, pursuant to O.C.G.A. § 50-13-4(a)(2), the Commission shall issue a concise statement of the principal reasons for and against adoption of the Rules and incorporating the reasons for overruling the consideration, if any, urged against their adoption.

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WHEREFORE IT IS ORDERED, that the Commission hereby issues this First Revised Notice of Proposed Rulemaking for consideration of adopting amendments to Commission Rule 515-7-8.

ORDERED FURTHER, that this Notice of Proposed Rulemaking shall be published in conformity with the requirements of the Administrative Procedure Act as provided in O.C.G.A. § 50-13-4.

ORDERED FURTHER, that all interested parties shall file comments and proposed edits no later than 4:00 p.m. on **August 23, 2024**.

ORDERED FURTHER, that all persons interested in presenting views or arguments orally should present a written request for an oral hearing by **August 6, 2024**. If requested, the Commission will hold a hearing to receive oral comments immediately following the 9:30 a.m. committee meeting on **September 12, 2024**.

ORDERED FURTHER, the issuance of this First Revised Notice of Proposed Rulemaking supersedes the original NOPR issued in this Docket (Docket No. 15296, Document No. 215846). All prior proposed rules and timelines contained in the original NOPR are superseded by this Frist Revised NOPR.

ORDERED FURTHER, where no request for oral hearing is made, the Commission shall consider only those written comments filed in accordance with the provisions of this notice.

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.

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.

The above by the action of the Commission in Administrative Session on the 18th day of July, 2024.

Sallie Tanner Executive Secretary	Jason Shaw Chairman
Date	Date