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PROCEDURAL AND SCHEDULING ORDER

Docket Nos. 55378 and 44160

In Re: Georgia Power Company's 2023 Integrated Resource Plan Update: Application for Certification of Robins, Moody, Hammond, and McGrau Ford Phase II Battery Energy Storage Systems

In Re: Georgia Power Company's 2022 Integrated Resource Plan: Engineering, Procurement, and Construction Agreement Compliance Filing for the McGrau Ford Phase I Battery Energy Storage System

I. BACKGROUND

On October 27, 2023, Georgia Power Company ("Georgia Power" or "Company") filed its 2023 Integrated Resource Plan Update ("2023 IRP Update") in response to the Company's forecast of unprecedented load growth and the need for capacity. In addition to various proposed capacity resources and demand-side initiatives, the Company requested approval of Battery Energy Storage Systems ("BESS") to provide capacity as early as the winter of 2026/2027. In its filing, the Company specifically proposed BESS projects at Robins and Moody Airforce Bases ("Robins" and "Moody") as well as the authority to add up to 1,000 megawatts ("MW") of BESS resources, which included the proposed Robins and Moody projects, to be online by the end of 2027. On March 26, 2024, the Public Interest Advocacy Staff ("PIA Staff") and the Company entered into a stipulation ("Stipulation") that was intended to resolve all issues related to the 2023 IRP Update.

On April 26, 2024, the Commission issued a Final Order in the 2023 IRP Update proceeding that approved the Stipulation ("2023 IRP Update Final Order"). Paragraphs 7 and 8 of the Stipulation relate to the Company's requests for Certification of Company-Owned BESS resources and are provided below:

> *Paragraph 7 - The Company's request to own and operate up to a total of 1,000 MW of Battery Energy Storage Systems ("BESS") is not approved. The Company is granted authority to develop, own, and operate up to 500 MW of BESS resources at various sites that will be identified by the Company to help meet the needs of economic development customer loads in the winter of 2026/2027. This BESS development will be exempted from the RFP process under Commission Rules 515-3-4-.04(3)(f)(6) and (7). The Company shall file for expedited certification of projects once EPC agreements for the projects have been executed. Specific reporting requirements will be determined in the certification proceeding. Should the projects not be certified, the Commission will consider, during the certification proceeding, whether any incurred project cost not useful or transferable to other potential future projects shall be deferred to a regulatory asset for recovery in the next base rate case. The Commission will monitor the load growth under the reporting provided in Paragraph 2 and the Company or Staff may request an adjustment to the amount of BESS resources procured under this paragraph as needed to ensure that customers' needs can be met in the winter of 2026/2027.*
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> *Paragraph 8 - The Company's specific request for Battery Energy Storage System ("BESS") projects at Robins and Moody Air Force Bases are exempted from the Commission's RFP process under Commission Rules 515-3-4-.04(3)(f)(6) and (7) and approved. The capacity of these projects is included in the 500 MW of BESS resources approved for development in Paragraph 7. The Company shall file for expedited certification of the Robins and Moody projects once the EPC agreements for the projects have been executed. The Company will file semi-annual construction monitoring reports from the date construction begins through the date of commercial operation. Specific reporting requirements will be determined in the certification proceeding. Should the projects not be certified, the Commission will consider, during the certification proceeding, whether any incurred project cost not useful or transferable to other potential future projects shall be deferred to a regulatory asset for recovery in the next base rate case.*

On August 16, 2024, the Company filed its Application for Certification of Robins, Moody, Hammond, and McGrau Ford Phase II Battery Energy Storage Systems ("Application"). Collectively, these four projects make up the 500 MW that the Company was allowed to develop, own, and operate to help meet the needs identified in the winter of 2026/2027. In addition, the Robins and Moody BESS projects were specifically approved in the Commission's 2023 IRP Update Final Order. The Application provides the cost of the BESS Projects, which includes capital construction, ad valorem taxes and allowance for funds used during construction ("AFUDC"). The Company filed for expedited certification of the BESS projects as approved in

the 2023 IRP Update Final Order. In addition, pursuant to the 2023 IRP Update Final Order, the 500 MWs of BESS projects in the Company's Application are exempted from the Request for Proposal ("RFP") process pursuant to Commission Rules 515-3-4-.04(3)(f)(6) and (7).

On August 9, 2024, the Company filed the Engineering, Procurement, and Construction Agreement for the McGrau Ford Phase I Battery Energy Storage System. This filing was made in compliance with the Commission's Order adopting a Stipulation in the Company's 2022 Integrated Resource Plan, Docket No. 44160 ("2022 IRP Final Order"). Paragraph 13 of the 2022 IRP Stipulation states the following:

> *Paragraph 13 - The Company is provisionally authorized to develop, own, and operate the McGrau Ford Battery Facility (the "McGrau Ford Project"). The Company will be required to provide final McGrau Ford Engineering Procurement and Construction ("EPC") agreement (or agreements if more than one) to the Commission prior to undertaking procurement for or construction of the McGrau Ford Project. Following the Company's provision of the EPC agreement to the Commission, the Commission will determine whether to proceed with the McGrau Ford Project and provide a deemed certified amount for the McGrau Ford Project. If the Company exceeds the deemed certified amount, the Company has the burden of showing that such costs were prudently incurred. The Company will also file quarterly construction monitoring reports from the date construction begins through the date of commercial operation.*

Pursuant to the 2022 IRP Final Order, the Company was provisionally authorized to develop, own and operate the McGrau Ford Battery Facility ("McGrau Ford Phase I"). The Company was further required to file the EPC Agreement for McGrau Ford Phase I prior to undertaking construction of the project. Pursuant to the 2022 IRP Final Order, the Commission must now determine whether to proceed with the project and provide a deemed certified amount for McGrau Ford Phase I.

Consolidation of Consideration of Matters into Docket No. 55378

In light of the common issues involved in Commission's consideration of McGrau Ford Phase I and Phase II BESS projects, and for the purpose of achieving efficiency, the Commission hereby consolidates consideration of the Company's Application in Docket No. 55378 and the Company's Filing in Docket No. 44160 into the evidentiary proceedings under Docket No. 55378.

In addition, authorization of McGrau Ford Phase I was supported by the prior evidentiary record in Docket No. 44160. The Commission takes administrative notice of the evidentiary record in Docket No. 44160 that supports the Commission's provisional approval of the McGrau Ford Phase I BESS project, and the Commission incorporates that record into this proceeding.

Issues Involved

The issues to be addressed shall include those which are required pursuant to the IRP Act, O.C.G.A. § 46-3A-1 et seq., and the Commission's implementation of Rule 515-3-4 as well as all

other related issues this Commission deems appropriate.

Should the Commission issue an order approving, denying, or modifying the requests made by the Company in its August 16, 2024 application?

Should the Commission issue an order for the Company to proceed with the McGrau Ford Phase I BESS project and set a certified amount as requested in the Company's August 9, 2024, Compliance Filing?

Standard Certification Issues

Pursuant to O.C.G.A. § 46-3A-3(a), after January 31, 1992, no utility shall commence the construction of an electric plant, sell an existing plant or any portion thereof which is included in the retail rate base or which has been certified, enter into a long-term purchase of electric power, or make expenditures for a demand-side capacity option for serving the utility's Georgia retail customers without having first obtained from the commission a certificate that public convenience and necessity requires, or will require, such construction, sale, purchase, or expenditure.

Additional Issues

The current filings are in part a result of Commission directives from previous orders. Additional issues to be addressed in Docket Nos. 55378 and 44160 with respect to the certification of the BESS projects at Robins and Moody Air Force Bases, McGrau Ford Phase I and II, and Plant Hammond shall include any issues and directives of the Commission from its prior orders whether or not expressly identified in this order.

II. PRELIMINARY DIRECTIVES

The Commission orders this Procedural and Scheduling Order to establish discovery procedures and establish a hearing schedule. The Public Interest Advocacy ("PIA") Staff is appointed as the agent for the Commission for discovery purposes. Georgia Power is hereby made a party and shall be bound by the Commission's rulings in this docket and is directed to publish notice of this proceeding.

Pursuant to the Commission's Utility Rule 515-2-1-.04(3), Georgia Power is directed to give first notice of the proceedings in this docket no later than 30 days after payment of the Certification Fee.

Pursuant to O.C.G.A. § 50-13-13, this proceeding shall be considered a contested case. As such, the Commission hereby designates the following staff members to act as PIA Staff in this proceeding:

Jamie Barber
John Kaduk

Robert Trokey
Bobby Iseley
Nick Cooper
Ben Deitchman
Tom Newsome
Joseph Schneider
William Threatt
Jason Forsythe
Preston Thomas
Ray-Kelle Preston

The PIA Staff shall be responsible for performing an independent evaluation of the filed case from the standpoint of promoting the public interest and just and reasonable rates and advocating for that position. The PIA Staff is considered a party to the case and may negotiate settlements with other parties, in the public interest.

The Commission hereby designates the following Staff members to act as Commission Advisory Staff in this proceeding:

Nancy Gibson
Blair Fink
George Brown

The Commission Advisory Staff shall not be a party to this case but shall act as a technical advisor to the Commissioners and shall advise Commissioners upon request based exclusively on its own independent evaluation of the facts contained in the record.

The Commission authorizes the PIA Staff to issue discovery pursuant to O.C.G.A. 46-2-57(a). The PIA Staff may conduct depositions and use any other methods of formal and informal discovery in this docket. The use of any informal discovery methods shall not augment or abridge existing discovery rights and responsibilities.

III. HEARING SCHEDULE, FILING DATES AND PROCEDURES

August 9, 2024

Georgia Power filed the Engineering, Procurement, and Construction Agreement for the McGrau Ford Phase I BESS in Docket No. 44160.

August 16, 2024

Georgia Power filed an Application requesting certification of the BESS projects at Robins and Moody Air Force Bases, McGrau Ford Phase II, and Plant Hammond and Direct Testimony

Supporting its Application.

September 4, 2024

At its regularly scheduled Administrative Session, the Commission will establish the fee in this docket pursuant to O.C.G.A. § 46-3A-5(c).

September 27, 2024

Georgia Power will remit the fee for this proceeding.

October 11, 2024

Staff and Interveners shall file direct testimony in Docket No. 55378 by 4:00 p.m.

October 23, 2024

Georgia Power may file any pre-filed rebuttal testimony in Docket No. 55378 by 4:00 p.m.

October 31 and November 1, 2024

On October 31, 2024, immediately following Committee meetings, the Commission will convene the hearing in this docket. The Commission will hear applications to intervene, any objections thereto, and any appropriate motions concerning Georgia Power's pre-filed testimony. Following these motions, the Commission will conduct hearings on Georgia Power's direct testimony. Immediately following hearings on Georgia Power's direct testimony, the Commission will commence with hearings on Commission PIA Staff and Interveners direct testimony.

Thereafter, the Commission will hear any rebuttal testimony filed by Georgia Power. In the event that all of the testimony is not heard on October 31, 2024, the hearing will continue on November 1, 2024 at 9:30am.

November 14, 2024

All briefs and/or proposed orders shall be filed with the Commission by 4:00 p.m.

November 26, 2024

At its regularly scheduled Energy Committee, the Commission will hear from parties.

December 3, 2024

At its regularly scheduled Administrative Session, the Commission will render a decision in

Docket No. 55378.

Statutory Deadline for Commission Order

The Statutory deadline for a certificate review is 180 days after the utility remits the fee, pursuant to O.C.G.A. § 46-3A-05(c). As set forth above, Georgia Power will remit its fee on September 27, 2024; therefore, the statutory deadline is March 26, 2025.

INTERVENTION AND HEARING PROCEDURES

Any party that previously intervened in Docket Nos. 44160 or 55378 wishing to participate in the consideration of the Application for Certification of the BESS Projects or Certification for McGrau Ford Phase I is required to file a new intervention request with the Commission in Docket No. 55378.

The following are procedures to which the parties should adhere with respect to this docket.

1. Intervention

Intervention Period

(a) Any person or party, on whom a statute does not confer an unconditional right to intervene, must file an application for leave to intervene within 30 days following the first published notice of the proceeding. Pursuant to Rule 515-2-1-.04(3), Georgia Power will be directed to give first notice of its proceedings in this case not later than October 25, 2024.

Application Requirements

(b) In addition to the requirements prescribed by O.C.G.A. § 46-2-59 for applications for leave to intervene, the application must (1) identify other intervening parties or intervening party applications whose interest is similar to that of the applicant, along with an explanation of why the identified intervening party or intervening party applicant will not adequately represent the applicant's interest; and (2) state the applicant's present intention to submit direct testimony and by whom and on what subject. The requirements identified herein shall constitute a continuing obligation of the applicant or intervening party.

Late Applications for Intervention

(c) Any application for leave to intervene filed late must state the reason why such application was not submitted within 30 days of first published notice. Objections to late intervention applications must be filed in conformance with the requirements of O.C.G.A. § 46-2-59-(d).

Rulings on Intervention Applications

(d) The Commission will take up and rule on applications for leave to intervene at the first hearing date set in this docket.

2. Service

Each party has the responsibility to serve copies of any documents filed with the Commission upon each intervenor and intervenor applicant. Furthermore, in the case of documents filed prior to the deadline for intervention established above, copies shall also be served upon each party indicated in the Certificate of Service accompanying this Order.

3. Witnesses' Testimony

(a) Summations of direct testimony will take no longer than fifteen (15) minutes or, at the discretion of the Commission, no longer than thirty (30) minutes.

(b) Summations should be limited to testimony and exhibits in the pre-filed testimony.

(c) Demonstrative handouts intended to be used during summations of the pre-filed testimony or in opening or closing statements, if applicable, must be pre-filed at least five (5) days prior to the hearing and must be limited to the scope of the testimony and exhibits in the pre-filed testimony.

(d) Except for good cause shown, corrections to testimony must be pre-filed at least five (5) days prior to the hearing.

(e) In the absence of a valid objection made and sustained to pre-filed testimony, the pre-filed testimony and exhibits, with corrections, will be admitted into the record as if orally given prior to the witness' summation, subject to a motion to strike after admission or other relevant objection.

(f) Where the testimony of a panel of witnesses is presented, cross-examination may either be addressed to the panel, in which case any member of the panel may answer, or cross-examination may be addressed to an individual panel member, in which case that panel member shall give the answer; provided, however, that any other panel member shall be allowed to supplement the answer given.

(g) Motions to strike any portion of pre-filed testimony must be filed at least two days prior to the hearing.

(h) Any individual that presents testimony during this proceeding may not conduct cross examination of other parties.

4. Hearing Exhibits

For the record in all hearings, it shall be the responsibility of the parties sponsoring any hearing exhibits to ensure that the Hearing Reporter and all parties of record receive copies of the hearing exhibits at the time of introducing the exhibits at the hearings. (Exhibits filed with pre-filed testimony should already have been provided in fifteen (15) or more copies, as per Commission Rule 515-2-1-.04(3).)

Procedures and Forms for Making an Application to Intervene

Applications to intervene and Commission approval thereof are covered by Official Code of Georgia Annotated § 46-2-59, and the Commission's Utility Rule 515-2-1-.06. Each applicant shall submit their application to intervene to the Commission, addressed to the Executive Secretary, Ms. Sallie Tanner, 244 Washington St. S.W., Atlanta, Georgia 30334-5701.

In addition, each applicant shall submit a copy of their application to Georgia Power[1], and all other parties who have applied to intervene, and submit a Certificate of Service to the Commission certifying that these copies have been served on the other parties. To obtain a list of other applicants to intervene, contact Ms. Quawanda Boyer, Georgia Public Service Commission, 244 Washington St., S.W., Atlanta, Georgia 30334-5701, (Telephone: (404) 656-0977).

Specialized Testimony and Assistance

O.C.G.A. § 46-2-33(a) provides that the cost to the Commission of providing reasonably necessary specialized testimony and assistance in proceedings initiated by a utility shall be charged to the affected utility. It further provides that the amount of such charges for certification cases shall not exceed $600,000.00 per case per year. The maximum fee is adjusted on an annual basis based on the Consumer Price Index as reported by the Bureau of Labor Statistics of the United States Department of Labor. For Docket Nos. 55378 and 44160, the maximum fee has been determined to be $870,735. O.C.G.A. § 46-2-33(b) provides that at the time the Commission determines that specialized testimony and assistance is required, the Commission shall issue an order setting forth the scope and budget for such testimony and assistance.

O.C.G.A. § 46-2-33(b) provides that all invoices relating to the testimony and assistance shall be subject to Commission review and approval, and no utility shall be required to pay any invoice not approved by the Commission. O.C.G.A. § 46-2-33(c) provides that the amounts paid by regulated companies under this Code section shall be deemed a necessary cost of providing service, and the utility shall be entitled to recover the full amount of any costs charged to the utility pursuant to this Code section. O.C.G.A. § 46-2-33(c) further provides that, at the election of the utility, the utility shall be entitled to recover all such costs promptly through a reasonably designed rider designated for such purpose.

The Commission hereby determines that specialized testimony and assistance is required in Docket Nos. 55378 and 44160. Accordingly, the Commission hereby sets forth the scope and budget for

[1] Georgia Power Company, as the applicant in its docket, is the party of record upon which applications to intervene must be served. Failure to serve the applicant, or any other party, tolls a fifteen (15) day limit for objections to interventions until this defect is corrected.

such assistance as described below. If there are additional needs identified, the specialized assistance will be brought to the Commission for consideration.

Consultant	Issue	Maximum Contract
Daymark Energy Advisors	Transmission and Aurora Modeling Review	$129,750

Establishment of Fee

With regard to the establishment of a fee in a proceeding in which a utility is seeking a certificate, O.C.G.A. § 46-3A-5(c) states:

(c) Within 60 days after the filing of an integrated resource plan or an application has been made with the commission for a certificate or amendment, the commission shall establish a fee therefor and notify the applicant thereof. The fee amount so established shall be in an amount reasonably necessary to defray the expense of the commission in reviewing the plan or determining whether to grant the application, including but not limited to the expense of conducting any certification proceedings required for such application. The fee so established shall not be recoverable from ratepayers of the applicant if the application or certification is denied nor shall the fee for review of the plan or any subsequent amendment thereto be recoverable from ratepayers. Such fee must be remitted to the commission before the commission may take any further action upon the application. For purposes of any time periods established in subsection (b) of this Code section and subsection (c) of Code Section 46-3A-2, an application shall be deemed to have been filed only when the fee established therefore has been remitted to the commission. In the event a joint application is filed by more than one utility, a single such fee only shall be required. The funds assessed and collected pursuant to this subsection shall be deposited in the state's general fund.

Accordingly, the Staff estimated the cost to review the filing at $176,998.

The Commission has determined that a fee should be established for review of the application of Georgia Power Company in the above-captioned docket. This Commission has established the fee for review of this application within sixty days of filing the application. The fee amount so established is in an amount reasonably necessary to defray the expenses of the Commission in reviewing the application, including but not limited to the expense of conducting any proceedings required for such application.

Therefore, the Commission finds and concludes that based on the Staff's recommendation, the fee amount necessary to defray the costs to this Commission in review of Georgia Power Company's Certificate filing shall be $176,998. In accordance with O.C.G.A. § 46-3A-5 (c), this fee will be remitted to the State Treasury.

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WHEREFORE, IT IS ORDERED, that the procedures and schedules contained within this Procedural and Scheduling Order are hereby adopted by this Commission.

ORDERED FURTHER, that Georgia Power Company shall be charged up to $870,735 for specialized assistance as described in this Order, and that Georgia Power Company shall promptly pay any Commission approved invoice for such specialized testimony and assistance.

ORDERED FURTHER, that the fee to be paid by Georgia Power Company on September 27, 2024 for the Commission's review of its Certificate filing shall be in the amount of $176,998.

ORDERED FURTHER, that this Order shall constitute notice to Georgia Power Company of the fee pursuant to O.C.G.A. § 46-3A-5(c).

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, 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 its Administrative Session on the 4th day of September 2024.

Sallie Tanner

SALLIE TANNER
EXECUTIVE SECRETARY

9-4-24
Date

JASON SHAW
CHAIRMAN

9-4-24
Date