BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF GEORGIA

)

COMMISSIONERS:

JASON SHAW, Chairman
TIM G. ECHOLS, Vice-Chairman
FITZ JOHNSON
LAUREN "BUBBA" McDONALD
TRICIA PRIDEMORE

REECE McALISTER
EXECUTIVE DIRECTOR

SALLIE TANNER
EXECUTIVE SECRETARY

Georgia Public Service Commission

(404) 656-4501
(800) 282-5813

244 WASHINGTON STREET, SW
ATLANTA, GEORGIA 30334-5701

FAX: (404) 656-2341
psc.ga.gov

CITY OF CARTERSVILLE,	)	
	)	
Petitioner	)	
	)	
v.	)	Docket No. 55973
	)	
GEORGIA POWER COMPANY,	)	
	)	
Respondent.	)	

NOTICE OF HEARING AND SCHEDULING ORDER

The hearing in the above-referenced Georgia Territorial Electric Service Act case before the undersigned hearing officer is scheduled to commence at **10:00** a.m. on August 4, 2025.

LEGAL AUTHORITY FOR HEARING

This hearing will be held under the authority and jurisdiction conferred upon the Public Service Commission ("Commission") by O.C.G.A. §§ 46-2-50, 46-2-58, 46-2-59, 46-3-13, and 50-13-13, including the Commission's authority to appoint a hearing officer to hear this case and issue an initial or recommended decision subject to Commission review, as well as Commission Utility Rules 515-1-1-.09, 515-2-1-.04, and 515-2-1-.05, et seq.

PROCEDURES

The following are the procedures to which any party to this hearing should adhere with respect to this docket:

1. Intervention:

The Parties to this proceeding are Petitioner the City of Cartersville ("City" or "Cartersville") and Respondent Georgia Power Company ("Georgia Power" or "Company"). The following procedures apply to any other person seeking to be a Party to this proceeding:

(a) Any person or party upon whom a statute does not confer an unconditional right to intervene must file an application to intervene within thirty (30) days following the first published notice of the proceedings.

(b) Applications must clearly specify the docket in which the applicant seeks to intervene. In addition to the requirements prescribed in O.C.G.A. § 46-2-59 for applications for leave to intervene, the applicant must: (1) identify other intervening Parties or intervening party applicants whose interests are similar to the applicant along with an explanation of why the identified intervening Parties 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. Any objections to applications must be filed in accordance with O.C.G.A. § 46-2-59(d).

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

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

2. Service and Notice of Proceeding:

In addition to filing an original and two (2) copies of documents, accompanied by an electronic version of such documents, with the Commission's Executive Secretary before 4:00

P.M. on the date such filing is due, copies of all pleadings, filings, correspondence, and any other documents related to, and submitted in, the course of this docketed matter should be served upon the Hearing Officer, all intervenors and Parties of record in this docket via electronic service.

3. Hearing Exhibits:

For the record in all hearings, it shall be the responsibility of the party sponsoring any hearing exhibits to see that the court reporter and all Parties of record, in addition to the individual Commissioners or Hearing Officer, receive copies of all exhibits at the time of their introduction at the hearing. (Exhibits filed with pre-filed testimony should already have been provided in two (2) or more copies, as per Commission Rule 515-2-1-.04(3)).

4. Assignment to Hearing Officer

Pursuant to O.C.G.A. § 46-2-58, the Commission has appointed the undersigned Hearing Officer to conduct a hearing in this proceeding and to make findings of fact and conclusions of law and present the same to the Commission in the form of a recommended decision for adoption by the Commission or an initial decision, subject to Commission review and reconsideration upon timely petition by any party.

5. Schedule and Filings

May 12, 2025

All Parties will identify their witnesses and proposed stipulations.

May19,2025

The Parties must file an original and two (2) copies of any direct testimony with the Commission's Executive Secretary.

June 16, 2025

An original and two (2) copies of any rebuttal to such direct testimony must be filed by any Party desiring to file such rebuttal testimony.

June 23, 2025

The Parties are to confer in advance of the Pre-Hearing Conference, and exchange documents proposed to be used at hearing as exhibits.

July 11, 2025

Objections to prefiled testimony and exhibits must be filed.

July 22, 2025

Pre-Hearing Conference, 10:00 a.m. The Parties shall confer via conference call by July 22, 2025, in a good faith attempt to reach an agreement as to admissibility of any documents or tangible items intended to be offered in evidence.

August 4, 2025

The Hearing Officer, beginning at 10:00 a.m. on August 4, 2025, will conduct a hearing in this proceeding.

6. <u>Other Pre-Hearing Procedures</u>

(a) The Parties shall confer via conference call by **July 22, 2025** in a good faith attempt to reach an agreement as to the admissibility of any documents or tangible items intended to be offered in evidence. The Parties may stipulate as to any matter of fact and such stipulation will satisfy a party's burden of proving the fact alleged. The Parties are encouraged to reach pre-hearing stipulations which could facilitate the expeditious adjudication of this matter.

(b) No continuances of the Pre-Hearing Conference or Hearing will be granted, except in an order signed by the hearing officer and for good cause shown and only if such continuance will not unduly delay the proceedings. Other deadlines set forth herein may be extended by joint stipulation of the Parties.

(c) Upon the hearing officer's own motion, or at the request of either party, a pre-hearing conference may be scheduled and convened, by the hearing officer to rule on motions and to consider and, where appropriate, issue orders on other preliminary matters which will tend to facilitate the orderly, efficient and expeditious adjudication or other resolution of this matter.

RIGHTS OF PARTIES

The Parties and permitted intervenors in this proceeding have the following rights in connection with this hearing:

(1) To respond in writing and by appearance at hearing to the matters at issue in this docket and to present evidence on any relevant issue;

(2) To be represented by counsel at each party's expense;

(3) To subpoena witnesses and documentary evidence through the Commission by filing requests with the Executive Secretary of the Commission for issuance of subpoenas;

(4) To cross-examine thoroughly any witness offering testimony at hearing contrary to the party's interests or legal position; and

(5) To exercise such other rights as are conferred by law and the rules and regulations of the Commission.

MATTER AT ISSUE

The following matter is at issue in this proceeding and will be decided on the basis of facts and arguments presented at hearing: Whether the City of Carterville has the right, under O.C.G.A. § 46-3-8(a), to serve the Premises located in 1181 Cassville White Road, Cartersville, Georgia (the "Premises").

******

WHEREFORE, pursuant to the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-13, and in furtherance of the orderly, efficient and expeditious resolution of this matter, **IT IS HEREBY ORDERED** as follows:

A. This Notice of Hearing and Procedural and Scheduling Order shall be served upon all Parties of record via e-mail and shall constitute Notice to the Parties of the ultimate issues to be decided after hearing pursuant to O.C.G.A. § 50-13-13(a). Public notice of this hearing shall be given by the Commission on the Commission Calendar posted on the Commission's website.

B. The Hearing Officer hereby adopts and issues the schedule, procedures, and statements regarding the issues set forth within this Order.

C. A motion for reconsideration, rehearing, oral argument, or any other motion shall not stay the effective date of this Order, unless otherwise ordered by the Commission.

D. Jurisdiction over these matters is expressly retained for the purpose of entering such further Order or Orders as the Hearing Officer or the Commission may deem just and proper.

SO ORDERED, this 10th day of February 2025.

Nancy Gibson
Hearing Officer