BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF GEORGIA

IN RE:	)	
	)	
	)	
Georgia Power Company's	)	**Docket No. 55268**
2029-2031 All Source Capacity	)	
Request for Proposals	)	

PETITION OF TERRAVERDE PROPERTIES, LLC

1. TerraVerde Properties, LLC ("TVP") hereby petitions the Georgia Public Service Commission (the "Commission") for a waiver of the submission deadline for QFs less than thirty megawatts, and of any other applicable requirements contained in the Commission's Order in Docket 55268 to allow GPS to submit, retroactive to the recommended NOI submission date of April 5, 2024 and the July 19, 2024 bid due date, a Notice of Intent in connection with Georgia Power Company's ("Georgia Power") request for proposal ("RFP") process for the 2029-2031 All Source Capacity Request for Proposals. As described further below, the Commission has granted similar requests for waivers.

BACKGROUND

2. TVP is planning to develop a solar power generation, or photovoltaic, facility in Laurens County, Georgia (the "Facility") and intends to fulfill part of a critical power need via a QF contract, which would supply up to 30 MWs. GPS respectfully requests a decision as soon as possible so that it can plan accordingly.

3. TVP intends to participate in the 2022 Integrated Resource Plan and comply with the qualification requirements of a QF.

4. Permitting GPS to submit a Notice of Intent, retroactive to the recommended NOI submission date of April 5, 2024 and the July 19, 2024 bid due date, for the Facility will not cause Georgia Power any hardship and, to the contrary, will benefit Georgia Power and its

ratepayers by offering an alternative source of renewable energy while helping to create jobs and economic growth in Georgia. Although the deadline for notice has passed, GPS has communicated with Georgia Power and has confirmed that Georgia Power is interested in TVP's project. Further no final determinations concerning the current RFP have been made by Georgia Power as of the date of this petition. No party will be prejudiced if GPS petition for a waiver of the deadline is granted by the Commission.

5. Further inasmuch as GPS' project will have expected output of 30 MW, GPS requests approval, if necessary, from the Commission to notice in under the RFP in accordance with the Commission's guidelines applicable to QFs less than thirty megawatts.

6. There is precedent for the Commission permitting an out-of-time notice when Georgia Power's capacity needs will allow for additional renewable generating capacity. In Docket 21447-U, by Order of July 27, 2007, the Commission permitted Rollcast Energy, Inc., to submit a retroactive Notice of Intent for the 2010 solicitation for capacity and energy, even though the official notice period had closed a year earlier. Further by Order of January 18, 2011 in Docket 27488, document 133801 the Commission approved North Star Renewable Power, LLC's (North Star) request for a waiver allowing North Star to retroactively submit to June 22, 2010 a Notice of Intent for the 2015 RFP. Also, by Order of May 24, 2011 I Docket 27488, document 136234, the Commission approved Green Power Solution, LLC's ("GPS") request for a waiver allowing GPS to submit to June 22, 2010 a Notice of Intent for the 2015 RFP. Accordingly, TVP respectfully requests similar approval as the Commission has previously granted to Rollcast, North Star, and TVP. Here, no one will be prejudiced by providing TVP the requested waiver. of intent deadline. TVP's entry will not "displace" any other entrant who has already submitted a Notice of Intent. Further, TVP has filed a fully compliant Notice of Intent with Georgia Power on January 28, 2025, detailing TVP's interest in participating in the all source capacity solicitation. Accordingly, Georgia Power will have adequate notice to plan for possible reliance on this additional power to meet a portion of the all source capacity need. On the other hand, while no other party would be harmed if the Commission granted the requested waiver, TVP will be substantially harmed if it is denied the ability to take advantage of the proxy methodology contract. As the Commission has previously recognized, the traditional avoided-cost

payment methodology was built in contemplation of QFs being paid actual avoided cost with little certainty of future revenues. This payment structure is ill suited to biomass and other renewable generation facilities which must secure financing based on the QF contract, necessitating the alternative of the proxy price formula to enable a developer such as GPS to obtain necessary project financing. If TVP is excluded from participation and is forced to resort to accepting energy-only payments at the daily avoided cost rate TVP's project will not be feasible.

7. Conclusion

For the forgoing reasons, TVP respectfully requests that the Commission allow submission of its Notice of Intent for the Georgia Power 2029-2031 All Source Capacity RFP to be retroactive as of the original submittal deadline.

Respectfully submitted this 20th day of February, 2025.

TERRAVERDE PROPERTIES, LLC



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