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### **ORDER ON GEORGIA POWER COMPANY'S REVISION TO RULES AND REGULATIONS TARIFF COMPLIANCE FILING**

**Docket No. 44280**

**In Re: Georgia Power Company's 2022 Rate Case**

#### **I. BACKGROUND**

On December 11, 2024, Georgia Power Company ("Company" or "Georgia Power") filed a request for approval of revisions to the Company's Rules and Regulations in Docket Number 44280. The rule changes apply to new customers with 100 megawatts ("MW") or more of load connecting to Georgia Power's system, requiring additional terms and conditions for those customers in order to allow the Company to appropriately assign costs to the customer. The proposed revisions allow for minimum billing requirements and longer contract term lengths for the new customers over 100 MW of load.

On January 28, 2025, the Georgia Public Service Commission ("Commission") approved the Company's request with the following requirements:

- The Company shall exercise the discretion under the Rules and Regulations changes in a manner designed to protect existing customers from bearing any of the costs of adding these large customers.
- The Company shall provide Staff with the terms and conditions intended to implement the revisions to the Company's rules and regulations, and the criteria for applying such terms and conditions, prior to utilizing them for contracting.
- The Company shall file the complete contract and associated exhibits, attachments, terms and conditions on all new contracts within 30 days of execution.
- The Company shall make a compliance filing of the relevant tariffs for applicable customers to reflect the changes to the rules and regulations.

- The Commission shall continue to review the issue and may modify the rules and regulations or take other actions necessary to protect the Company's customers. Staff reserves the right to recommend further amendments to the Company's rules and regulations.

On February 28, 2025, the Company filed revisions to ten existing tariffs with a proposed effective date of April 1, 2025, for applicable customers to reflect the changes to the rules and regulations in compliance with the Commission's January 28, 2025, Order (the "Revision Approval Order").

On March 11, 2025, the Company provided Staff with draft terms and conditions intended to implement the revisions to the Company's rules and regulations, and criteria for applying such terms and conditions.

On March 19, 2025, the Company filed a revised TOU-SC-15 tariff to incorporate some refinements the Company identified during the Commission Staff's review of the tariffs.

On April 4, 2025, the Company filed a second revision for TOU-SC-15 with additional refinements in the Monthly Access Charge Option section of the tariff to clarify minimum bill and early termination requirements.

## **II. FINDINGS OF FACT**

Under the draft terms and conditions, customers would pay the higher of tariffed rates or a minimum bill amount each billing period they are a customer. If the customer ended the contract early, the customer would be liable for the minimum bill amounts (not tariffed rate amounts) for each period for the remaining term of the contract. The tariffed rates would be subject to future review and modification by the Commission using normal ratemaking processes. However, the minimum bill amounts would not.

The Company has provided Staff with a framework for determining minimum bills, but not a definitive calculation that Staff can replicate. Under this framework, the minimum bill amounts would be set to recover the transmission and generation costs being incurred to serve the new large-load customers. Conceptually, this framework appears to be reasonable; however, Staff has not yet seen how the Company intends to apply the framework in practice. Due to the uncertainty of how the framework will be applied, Staff cannot determine whether the minimum bill framework will actually result in amounts that are reasonable and appropriate without reviewing the actual amounts negotiated for customers.

Staff recommended that the Commission issue an order approving the revised tariffs with the following provisions:

- 1) Staff will continue to review the tariffed rates and can recommend that the rates be increased should Staff deem such recommendation appropriate.

- 2) The Commission retains the ability to modify the tariffed rates as allowed under Georgia law.
- 3) Staff has reviewed and recommended approval of the large load contracting framework for the terms and conditions implementing the revisions to the Company's Rules and Regulations approved by the Commission in the Revision Approval Order. The terms and conditions of each large load contract including the minimum bill, termination, and collateral provisions will apply this framework. To the extent that the actual language in a contract differs from the language in the draft terms and conditions provided to Staff, Staff may object to such language if Staff deems that such modification is substantive and does not adequately protect existing customers from bearing any of the costs of adding the customer. The terms and conditions shall include language that if the tariffed rates are increased then the customer will be responsible to pay the new higher rates.
- 4) Commission Staff has reviewed the large load contracting framework and the minimum bill methodology implementing the revisions to the Company's Rules and Regulations approved by the Commission in the Revision Approval Order. Conceptually, this framework appears to be reasonable; however, Staff reserves the ability to review how it is applied in practice and Staff may object to a minimum bill amount if Staff deems that it is insufficient.
- 5) As defined in the revisions to the Rules and Regulations (100 MW or greater at one or more premises located on one tract or contiguous tracts of land), the Company will file each such contract with the Commission at least thirty (30) days prior to execution of the contract. At the time of such filing, the Company will provide Commission Staff documentation demonstrating that the contract complies with the requirements of the Revision Approval Order. Once filed, Commission Staff may raise objections to the contract, and the Company and Commission Staff will work together in good faith to resolve any such objections. If Staff does not file an objection within thirty (30) days of the filing of the contract, the contract shall be deemed approved. If Staff files an objection, the contract shall be approved if the Commission takes no action within thirty (30) days after the Staff's filing. After the first twelve (12) executed large load contracts have been filed, Staff and the Company shall meet in good faith to discuss whether this process should be modified.
- 6) The Company will file all executed large load contracts with the Commission as required by the Revision Approval Order.
- 7) At least annually, the Company will update inputs to the minimum bill calculation. Whenever the Company updates inputs to the minimum bill calculation, the Company shall notify Staff of the updates and shall provide Staff with an updated cost model.
- 8) The Commission Staff may recommend that the Commission modify how the Company calculates minimum bill amounts for prospective contracts.

### **III. SUMMARY**

At the Commission's April 10, 2025, Energy Committee meeting, Staff recommended the Commission approve Staff's recommendation as a fair resolution of the issues presented in the Georgia Power Company's Revision to Rules and Regulations Tariff Compliance Filing.

At its April 15, 2025, Administrative Session, the Commission voted to approve Staff's recommendation.

\* \* \* \* \*

**WHEREFORE IT IS ORDERED**, that Staff's recommendations on Georgia Power Company's Revision to Rules and Regulations Tariff Compliance Filing, are hereby adopted.

**ORDERED FURTHER**, that the Commission approves the updates to the Company's tariffs and the large load contracting framework for the terms and conditions implementing the revisions to the Company's Rules and Regulations as approved in the Revision Approval Order.

**ORDERED FURTHER**, that Staff will continue to review the tariffed rates and can recommend that the rates be increased should Staff deem such recommendation appropriate.

**ORDERED FURTHER**, that the Commission retains the ability to modify the tariffed rates as allowed under Georgia law.

**ORDERED FURTHER**, that the terms and conditions of each large load contract including the minimum bill, termination, and collateral provisions will apply the framework in the same manner as provided and demonstrated to Staff. To the extent that the actual language in a contract differs from the language in the draft terms and conditions provided to Staff, Staff may object to such language if Staff deems that such modification is substantive and does not adequately protect existing customers from bearing any of the costs of adding the customer. The terms and conditions shall include language that if the tariffed rates are increased then the customer will be responsible for paying the new higher rates.

**ORDERED FURTHER**, that Staff reserves the ability to review how the large load contracting framework and the minimum bill methodology implementing the revisions to the Company's Rules and Regulations is applied in practice and Staff may object to a minimum bill amount if Staff deems that it is insufficient.

**ORDERED FURTHER**, that as defined in the revisions to the Rules and Regulations (100 MW or greater at one or more premises located on one tract or contiguous tracts of land), the Company will file each such contract with the Commission at least thirty (30) days prior to execution of the contract. At the time of such filing, the Company will provide Commission Staff documentation demonstrating that the contract complies with the requirements of the Revision Approval Order. Once filed, Commission Staff may raise objections to the contract, and the Company and Commission Staff will work together in good faith to resolve any such objections.

If Staff does not file an objection within thirty (30) days of the filing of the contract, the contract shall be deemed approved. If Staff files an objection, the contract shall be approved if the Commission takes no action within thirty (30) days after the Staff's filing. After the first twelve (12) executed large load contracts have been filed, Staff and the Company shall meet in good faith to discuss whether this process should be modified.

**ORDERED FURTHER**, that the Company will file all executed large load contracts with the Commission as required by the Revision Approval Order.

**ORDERED FURTHER**, that at least annually, the Company will update inputs to the minimum bill calculation. Whenever the Company updates inputs to the minimum bill calculation, the Company shall notify Staff of the updates and shall provide Staff with an updated cost model.

**ORDERED FURTHER**, that the Commission Staff may recommend that the Commission modify how the Company calculates minimum bill amounts for prospective contracts.


**ORDERED FURTHER**, that in implementing the tariffs and the large load contracting framework, the Company shall continue to exercise the discretion under the Rules and Regulations revisions in a manner designed to protect existing customers from bearing any of the costs of adding large load customers 100 MW or greater, including with respect to the minimum bill, termination, and collateral provisions established for these large load customers.

**ORDERED FURTHER**, that 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.

**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 the action of the Commission in the Administrative Session on the 15th day of April 2025.

  
SALLIE TANNER  
EXECUTIVE SECRETARY

  
JASON SHAW  
CHAIRMAN

4-17-25  
DATE

4-17-25  
DATE