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DOCKET# 56181
DOCUMENT# 223042

PROCEDURAL AND SCHEDULING ORDER

Docket No. 56181

GEORGIA POWER COMPANY'S APPLICATION FOR THE CERTIFICATION OF THE CARES 2023 UTILITY SCALE RENEWABLE POWER PURCHASE AGREEMENTS

The Georgia Public Service Commission ("Commission") hereby issues this Procedural and Scheduling Order in accordance with the authority and duty conferred upon it by the Integrated Resource Plan Act ("IRP Act"), O.C.G.A. § 46-3A-1 et seq, as well as Commission Utility Rule Chapter 515-3-4, Integrated Resource Planning, and for the purpose of scheduling pleadings and a hearing to consider the matters described herein. Notification of the following matter is hereby given:

I. BACKGROUND

The Commission in its Order Adopting Stipulation in Docket No. 44160 ("2022 IRP Final Order") regarding Georgia Power Company's ("Georgia Power" or "Company") 2022 Integrated Resource Plan ("IRP") approved Georgia Power to procure up to 2,100 megawatts ("MW") of Utility Scale renewable resources, including energy from up to 650 MW of around the clock carbon free energy from carbon free resources that leverage renewable resources with battery storage systems. In the Clean and Renewable Energy Subscription ("CARES") Request for Proposals ("RFP"), Georgia Power rolled forward 1,250 MW left unfilled from previous utility scale procurements for a total CARES procurement target of 3,350 MW. Georgia Power will issue at least two RFPs to procure the total MW target. The CARES 2023 RFP sought to procure 2,875 MW of Utility Scale renewable resources, with anticipated in-service dates of 2026, 2027, or 2028.

On June 5, 2025 Georgia Power filed an Application for the Certification of the CARES 2023 Utility Scale Renewable Power Purchase Agreements ("PPA") requesting the Commission to issue an order granting a certificate of public convenience and necessity ("Certificate") for 1,068 MW

portfolio of standalone solar and solar plus storage resources through five Utility Scale Power Purchase Agreements.

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 request made by the Company in its June 5, 2025 Application?

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.

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. These proceedings also encompass complex litigation as that term is used in O.C.G.A. § 9-11-33(a) and discovery procedures apply accordingly. As such, the Commission hereby designates the following staff members to act as PIA Staff in this proceeding:

Jamie Barber
John Kaduk
Bobby Iseley
Nick Cooper
Chris Collado

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 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

June 5, 2025

Georgia Power filed an Application requesting certification of the CARES 2023 PPAs.

June 17, 2025

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).

June 17, 2025

Georgia Power will remit the fee for this proceeding.

June 27, 2025

Georgia Power shall file direct testimony in Docket No. 56181 by 4:00 p.m.

July 23, 2025

Staff and Interveners shall file direct testimony in Docket No. 56181 by 4:00 p.m.

August 1, 2025

Georgia Power may file any pre-filed rebuttal testimony in Docket No. 56181 by 4:00 p.m.

August 14, 2025

On August 14, 2025, 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.

August 22, 2025

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

August 28, 2025

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

September 2, 2025

At its regularly scheduled Administrative Session, the Commission will render a decision in Docket No. 56181.

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 June 17, 2025; therefore, the statutory deadline is December 15, 2025.

INTERVENTION AND HEARING PROCEDURES

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 July 15, 2025.

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

Specialized testimony and assistance may be required to review Georgia Power Company's Application in this proceeding pursuant to O.C.G.A. § 46-2-33. The scope of testimony, assistance, budget for such testimony and assistance will be submitted to the Commission for approval, if or when the need is identified.

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 therefore 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

[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.

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 $84,030.34.

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 $84,030.34. 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 the fee to be paid by Georgia Power Company on June 17, 2025 for the Commission's review of its Certificate filing shall be in the amount of $84,030.34.

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 17th day of June 2025.

SALLIE TANNER
EXECUTIVE SECRETARY

6-18-25
Date

JASON SHAW
CHAIRMAN

6-18-25
Date