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Docket No. 56258

**In Re: Georgia Power Company's Application for the Certification of the Winter
2027-2028 BESS RFP**

ORDER APPROVING JOINT STIPULATION BETWEEN THE GEORGIA PUBLIC SERVICE COMMISSION PUBLIC INTEREST ADVOCACY STAFF AND GEORGIA POWER COMPANY

APPEARANCES:

On behalf of Georgia Public Service Commission Public Interest Advocacy Staff:

JUSTIN PAWLUK, Attorney
CHRIS COLLADO, Attorney

On behalf of Georgia Power Company:

ALLISON W. PRYOR, Attorney
ERICA L. WELSH, Attorney

BY THE COMMISSION:

I. BACKGROUND AND PROCEDURAL HISTORY

This matter comes before the Georgia Public Service Commission ("Commission") to consider Georgia Power Company's ("Georgia Power" or "Company") Application for the Certification of the Winter 2027-2028 BESS Request for Proposals ("RFP") ("Twiggs County Certification Application") filed by Georgia Power on June 20, 2025.

On April 26, 2024, the Commission issued its Order Adopting Stipulated Agreement in Docket No. 55378 (“2023 IRP Update Final Order”) regarding Georgia Power’s 2023 IRP Update, which amended and approved a stipulation that required Georgia Power to conduct a narrowly tailored RFP on an expedited basis to procure between 300 and 500 megawatts (“MW”) of battery energy storage system (“BESS”) resources to meet capacity needs identified by the Company in the Winter of 2027/2028.

The Company issued the Winter 2027-2028 BESS RFP (“Winter 27-28 BESS RFP”) seeking (1) standalone BESS with grid charging capability that has a completed or in-progress transmission interconnection study and requires minimal transmission improvements (those that can be completed on or before November 30, 2027); and (2) BESS with Renewable Resource located at an existing or previously certified solar site that has a Point of Interconnection (“POI”) that allows winter discharging of the BESS. The Winter 27-28 BESS RFP was overseen by the Commission Public Interest Advocacy Staff (“PIA Staff”) and an Independent Evaluator (“IE”) in accordance with Commission Rule 515-3-4-.04(3) et seq. (“RFP Rule”).

To expedite the solicitation process, the Commission approved the use of the IE overseeing the 2029-2031 All-Source RFP, Accion Group, LLC, for this Winter 27-28 BESS RFP. In addition, the Commission reduced the 120-day requirement between sharing draft documents with PIA Staff and issuing the RFP and reduced the six-month requirement between RFP Service Date and Issue Date. Due to the use of the Commission-approved All-Source RFP documents, no comment period was necessary for the Winter 27-28 BESS RFP. No Bid Refresh process was used either.

On July 22, 2024, the Company filed the final Winter 27-28 BESS RFP Documents, including copies of the pro forma Winter 27-28 BESS Power Purchase Agreement (“PPA”) and Build Transfer Agreement (“BTA”). The Commission approved these RFP Documents, with minor modifications, on August 8, 2024, in Docket No. 55763. Georgia Power issued the Winter 27-28 BESS RFP on August 9, 2024. Any Company-owned Proposals were required to be submitted by September 13, 2024, with all other bids submitted by September 16, 2024.

During the August 6, 2024, Administrative Session of the Commission, the Commission approved, as part of Docket No. 56181, the CARES 2023 Utility Scale RFP (“CARES 2023 RFP”): (i) a motion to remove the Netherlands from the list of restricted countries included in the BESS requirement’s language; and (ii) an amendment to the motion that, in the event of any terrorist action, cyber security incident, or mechanical failure as a result of sourcing equipment from the Netherlands, the supplier of the material or part will be responsible for any and all cost to Georgia Power and their customers. This language was sought to be changed in the CARES 2023 RFP and all other active and future Company RFPs, including the Winter 27-28 BESS RFP.

On September 17, 2024, the Commission approved the Company’s Compliance Filing that, among other things, clarified the August 6, 2024 amendment (Item (ii) above) to require that if any cost is caused by a terrorist act, cyber security incident, or mechanical failure that results from any programmable electronic component of a Battery Management System, BESS Controller, or

Site Controller sourced from the Netherlands, the counterparty with whom Georgia Power is contracting under the applicable RFP will be responsible for all damages allowed under Georgia law to the Company or its customers. On August 23, 2024, the Company filed revised RFP Documents. The Commission approved the Company's Compliance Filing with modification on September 24, 2024.

On June 18, 2025, the Commission issued its Procedural and Scheduling Order setting forth the dates for the filing of testimony and briefs, as well as the dates for hearing in this matter. These proceedings were declared to be contested cases as the term is defined in O.C.G.A. § 50-13-13 and were also held to encompass complex litigation pursuant to O.C.G.A. § 9-11-33.

On June 20, 2025, the Company filed an application asking the Commission to grant a Certificate of Public Convenience and Necessity ("Certificate") for the 200 MW Twiggs County BESS resource, which will be paired with the existing Twiggs County Solar resource.

On June 27, 2025, the Company filed testimony on behalf of Matthew J. Bowers, M. Brandon Looney, and Marc A. Vinson. On July 23, 2025, PIA Staff filed testimony on behalf of John L. Kaduk and Joseph Schneider. The Company did not file rebuttal testimony. There were no intervenors in this proceeding. No party filed testimony in opposition to certification of the Twiggs County BESS resource.

On August 6, 2025, the Company and PIA Staff entered into a stipulation resolving all issues in the case ("Stipulation"). On August 8, 2025, PIA Staff filed the Stipulation with the Commission. On August 14, 2025, a hearing was conducted before the Commission. Georgia Power and PIA Staff witnesses presented testimony as a joint panel. On August 22, 2025, the Company and PIA Staff filed a joint proposed order.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1.

To ensure that the competing interests of all parties were properly considered, the Commission has carefully analyzed the Stipulation entered into by the Company and PIA Staff, and all evidence of record including the testimony given and the various exhibits entered by the parties. The Commission finds and concludes that the terms of the Stipulation are supported by the evidence in the record and is a fair and reasonable resolution that appropriately strikes the balances of interest of the parties. The Commission further finds that the evidence presented supports the finding that the Twiggs County BESS resource will provide a reliable supply of electric power when needed by Georgia retail customers and finds that certification is appropriate. Therefore, the Commission approves and adopts the Stipulation as detailed below.

2.

The Commission finds and concludes that the provisions of the agreement shall have full force and effect as stated in the Stipulation.

3.

The Commission finds and concludes that Georgia Power's Twiggs County Certification Application is approved as amended by the Stipulation.

4.

The Commission finds and concludes that the certified amount for the BESS project shall be set at the amount provided in paragraph 3 of the Trade Secret Stipulation.

5.

The RFP was conducted in accordance with the Commission's RFP Rule governing the RFP process. The RFP was facilitated by the IE, Accion Group, LLC. In addition, PIA Staff provided an additional level of evaluation and oversight throughout the process. The information provided in the RFP documents, and the additional materials provided through the IE website, gave bidders the information needed to develop bids in accordance with the requirements previously approved by the Commission.

The testimony presented by the Company and PIA Staff detailed the significant efforts that went into the development of the RFP. Due to the use of the Commission-approved All-Source RFP documents, no comment period was necessary for the Winter 27-28 BESS RFP. No Bid Refresh process was used either.

The Commission approved the RFP Documents, with minor modifications, on August 8, 2024, in Docket No. 55763. Georgia Power issued the Winter 27-28 BESS RFP on August 9, 2024, and all bids were submitted by September 16, 2024.

Ultimately, the RFP resulted in the selection of a single winning submission to advance toward certification. The submission selected for the Short List was based upon the best value of the portfolio of proposals to the Company's customers and was the only resource that could reasonably achieve the required December 1, 2027, commercial operation date without more than minimal transmission improvements. Throughout the process, PIA Staff and the IE independently verified the process and steps taken by the Company as the Competitive Tier, Short List, and Reserve List were selected. All proposals on the Reserve List were moved to the Release List on May 22, 2025, due to their inability to achieve the required December 1, 2027, commercial operation date without more than minimal transmission improvements.

6.

The Commission finds and concludes that the Company will file quarterly construction monitoring reports for the Twiggs County BESS project, consistent with the Stipulation. The reports will include information consistent with those filed during the construction of the Robins, Moody, Hammond, and McGrau Ford Phase I and II BESS Projects.

7.

The Commission finds and concludes that the ratemaking treatment of the Twiggs County BESS as requested by the Company is approved. Georgia Power may recover the costs associated with the construction of the Twiggs County BESS in its rate base and will reflect the operating expenses associated with the unit in its retail cost of service. Consistent with O.C.G.A. § 46-3A-1 et seq., such recovery is contingent upon the Commission determining whether the costs are prudent and reasonable.

8.

The Commission finds and concludes that the resolution of the matters raised in this Docket is appropriate and is in the best interest of the state of Georgia. It is supported by testimony and other evidence in the record and will result in the addition of a cost-effective dispatchable capacity resource for Georgia Power's customers.

9.

The Commission retains its jurisdiction to ensure that the Company abides by and implements the rates, terms, and conditions set forth herein, and to issue such further order or orders as this Commission may deem proper.

III. ORDERING PARAGRAPHS

WHEREFORE IT IS ORDERED that the Commission adopts the Stipulation (Attachment A) as described herein and approves Georgia Power Company's Twiggs County Certification Application as modified by the Stipulation.

ORDERED FURTHER, the Commission finds that the provisions of the agreement shall have the full force and effect as stated in the Stipulation.

ORDERED FURTHER, that the certified in-service costs of the Twiggs County BESS project that Georgia Power has designated as Trade Secret shall be equal to the amount stated in paragraph 3 of the Trade Secret Stipulation.

ORDERED FURTHER, that Georgia Power Company will file quarterly construction monitoring reports for the Twiggs County BESS project, consistent with the Stipulation.

ORDERED FURTHER, that Georgia Power Company may recover the costs associated with the construction of the Twiggs County BESS in its rate base and will reflect the operating expenses associated with the unit in its retail cost of service. Consistent with O.C.G.A. § 46-3A-1 et seq., such recovery is contingent upon the Commission determining whether the costs are prudent and reasonable.

ORDERED FURTHER, all findings, conclusions, and decisions contained within the preceding sections of this Order are hereby adopted as findings of fact, conclusions of law, and decisions of regulatory policy of this 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.

ORDERED FURTHER, any motion for reconsideration, rehearing, or oral argument shall not stay the effectiveness of this Order unless expressly ordered by the Commission.

The above by action of the Commission in Administrative Session on the 4th of September, 2025.


Sallie Tanner
Executive Secretary

9-4-25
Date


Jason Shaw
Chairman

9-4-25
Date

STATE OF GEORGIA
BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION

In Re: Georgia Power Company's Application)
for the Certification of the Winter 2027-2028) **Docket No. 56258**
BESS RFP)

STIPULATION

The Georgia Public Service Commission's ("Commission") Public Interest Advocacy Staff ("Staff") and Georgia Power Company ("Georgia Power" or the "Company") (collectively the "Stipulating Parties") agree to the following stipulation as a resolution of the above-styled proceeding to consider the Company's Application for Certification of the Twiggs County Battery Energy Storage System ("BESS") in Docket No. 56258 ("Certification Application"). The Stipulation is intended to resolve all issues in this Docket regarding the Company's Certification Application. The Stipulating Parties agree as follows:

1. The Company's request to certify the 200 MW Twiggs County BESS project and amend the certificate for the Twiggs County Solar PPA, previously certified by the Commission in Docket No. 40706, is approved.
2. The Company agrees to file quarterly Construction Monitoring Reports. The reports will include information consistent with those filed during the construction of the Robins, Moody, Hammond, and McGrau Ford Phase I and II BESS Projects.
3. The Stipulating Parties agree that the certified amount for the Twiggs County BESS project shall be set at REDACTED.
4. The ratemaking treatment of the Twiggs County BESS as requested by the Company is approved. Georgia Power may recover the costs associated with the construction of the Twiggs County BESS in rate base and will reflect the operating expenses associated with the unit in its retail cost of service. Consistent with O.C.G.A. § 46-3A-1 et seq., such recovery is contingent upon the Commission determining whether the costs are prudent and reasonable.

Agreed to this 6th day of August 2025.



Chris Collado

On Behalf of the Georgia Public Service Commission
Public Interest Advocacy Staff

Allison W. Pryor

Allison W. Pryor

On Behalf of Georgia Power Company