FILED
SEP 17 2025
EXECUTIVE SECRETARY
GPSC

DOCKET# 29330
30706
DOCUMENT# 223993

COMMISSIONERS:

JASON SHAW, Chairman
FITZ JOHNSON, Vice-Chairman
TIM G. ECHOLS
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

***In Re*:**		
Gwinnett Countywide Safety Plan	)	**DOCKET NO. 29330**
Atlanta Gas Light Company's Application for Certificate of Public Convenience and Necessity in Gwinnett County	)	**DOCKET NO. 30706**

ORDER FOR WAIVER OF RULE 515-7-1-.15(6) AND HEARING REQUIRMENT

These matters come before the Georgia Public Service Commission ("Commission") as a result of Atlanta Gas Light Company ("AGL") filing for Waiver to the Rule 515-7-1-.15(6) ("80 Foot Rule") and Waiver of the associated hearing requirements to allow AGL to install pipe, as necessary, in close proximity to another Operator, City of Sugar Hill ("Sugar Hill"). In addition, AGL requests that the Commission waive the hearing requirement under Commission Rule 515-7-1-.15(6).

I. JURISDICTION

The Commission has general jurisdiction over natural gas utilities. O.C.G.A. § 46-2-20. Specifically, the Commission maintains safety jurisdiction over all natural gas transmission and distribution facilities within Georgia, including those natural gas facilities which are owned and operated by municipalities. O.C.G.A. § 46-2-20(i). The Commission further has jurisdiction over Georgia intrastate natural gas operators pursuant to *inter alia*: 49 U.S.C.S. §§ 60105 and 60122, 49 C.F.R. Part 191, 49 C.F.R. Part 192; O.C.G.A. §§ 46-2-21, 46-2-30, 46-2-53,46-2-90, 46-2-91, 46-4-1, 46-4-31, 50-13-1 *et seq.*; and Commission Rules 515-7-1-.01 *et. seq.*, 515-9-1-.01*et.seq.*, 515-9-3-.01 *et. seq.*, 515-9-6-.01 and 515-9-7-.01 *et. seq.*

The Commission has further jurisdiction pursuant to Commission Rules 515-9-1-.01 and 515-9-3-.03; both adopting the Rules and Regulations prescribed by the United States Department of Transportation applicable to the "Transportation of Natural and Other Gas by Pipeline: Minimum Safety Standards" (49 C.F.R. Parts 40, 191, 192, 193 and 199) having been made the Rules and Regulations of the Commission for the safe installation and operation of all natural gas transmission and distribution facilities by companies subject to the jurisdiction of the Commission.

II. PROCEDURAL HISTORY

On July 11, 2025, the Atlanta Gas Light Company filed a Petition for Waiver of Commission Utility Rule 515-7-1-.16(6) ("the 80 Foot Rule")("Petition") (Docket 29330, Document 223333). The purpose of this waiver is to allow AGL to install pipe, as necessary, in close proximity to another Operator, Sugar Hill as required to meet AGL's capacity needs through a previously approved Pipeline Only Right-of-Way in accordance with the Gwinnett Countywide Safety Plan ("Gwinnett CWSP"). In addition, requests that the Commission waive the hearing requirement under Commission Rule 515-7-1-.15(6).

On February 17, 2016, the Commission approved the Gwinnett CWSP. On December 18, 2018, July 2, 2020, and January 18, 2024, the Commission approved revisions to AGL's Certificate and the Gwinnett CWSP. In accordance with the approved Gwinnett CWSP, AGL operates and maintains a "Pipeline Only Right of Way(s)" within Gwinnett County. AGL now requests a waiver of the 80 Foot Rule to allow AGL to parallel and cross Sugar Hill's facilities for the Cumming to McGinnis Ferry System Reinforcement Project that the Commission previously approved under AGL's Integrated Capacity Delivery Plan. AGL will be installing the transmission pipeline through its existing certificated Right-of-Way.

AGL will construct a new 24" transmission pipeline that originates at the AGL Cumming Gate Station, runs southeast within the existing and to-be expanded Suwanee-Cumming line easement, connects at a new interconnect site at Commerce Parkway at Peachtree Industrial Blvd, and then proceeds southwest within the existing and to-be expanded Suwanee-Norcross line easement, finally terminating at the AGL McGinnis Ferry Rd at Scales Rd Station.

The project will be constructed in two phases. Phase 1 between the Cumming Gate Station and Commerce Parkway Interconnect. Construction will commence in early 2027 or 2028. Phase 2 will run from Commerce Parkway Interconnect to McGinnis Ferry at the Scales Road station. Construction will begin in the 2029-2030 timeframe. For the purposes of this petition, Sugar Hill's facilities will be will paralleled or crossed for a span of 5.57 miles. This segment begins at the Chattahoochee River HDD Crossing and ends north of the intersection of the Tench Road and AGL Easement.

The transmission-only pipeline is situated within AGL's certificated and countywide safety plan boundaries. No new joint response areas will be created under this waiver.

AGL is the only certificated operator in Gwinnett County. The cities of Buford Lawrenceville and Sugar Hill have home county status in Gwinnett County. AGL and Sugar Hill are the only Operators in Gwinnett County affected by the requested exception to the 80 Foot Rule. Per the Petition, both Operators agree to the waiver of a hearing, AGL asks that the Commission exercise its discretion and waive any hearing requirement. As of the date of this Order, the Commission has not received any written objections to the AGL's proposed waivers and/or appurtenant certificate application.

The AGL requests to that the Commission approve the requested Waiver of Commission Rule 515-7-1-.15(6) and Hearing Requirement. There are no customer transfers required.

III. STAFF REVIEW AND RECOMMENDATION

The Natural Gas Staff has performed its due diligence on the above-listed Petition. The Facilities Protection Unit has inspected the proposed waivers and has no objections to the request. Staff recommends that the Commission grant the waiver to the Rule 515-7-1-.15(6) ("80 Foot Rule") and waiver of the associated hearing requirements.

IV. STATUTES AND COMMISSION RULES INVOLVED

The Commission has the power and authority to enforce the provisions of: Ga. Const. Art. 9, § 6, ¶ 2, O.C.G.A. §§ 46-2-20 *et. seq.*, 46-2-30, 46-2-50, 46-2-51, 46-2-52, 46-2-53, 46-2-71, 46-2-90, 46-2-91, 46-4-20 *et. seq.*, 46-4-30 *et. seq.* and 50-13-1 *et. seq.*, applicable to Certificates of Public Convenience and Necessity and Safety of Natural Gas Pipelines/Distribution systems regulated by the Commission. The Commission has further power and authority to enforce the Commission's Natural Gas Certification and Safety Rules: 515-7-1 *et. seq.*, 515-9-1 *et. seq.*, 515-9-3 *et. seq.* and 515-9-7 *et. seq.* The Commission's specific Constitutional and statutory authorities can be found *inter alia*, at Ga. Const. Art. 9, § 6, ¶ 2, O.C.G.A. §§ 46-2-20, 46-2-21, 46-2-30, 46-2-51, 46-2-53, 46-2-54, 46-2-57, 46-2-58, 46-2-59, 46-2-71, 46-2-90, 46-2-91, 46-2-92, 46-2-93, 46-4-21, 46-4-22, 46-4-23, 46-4-24, 46-4-25, 46-4-26, 46-4-27, 46-4-28, 46-4-29, 46-4-30, and 46-4-31. The applicable Commission Rules involved are, *inter alia*, at 515-7-1-.01 *et. seq.*, 515-9-1-.01 *et. seq.*, 515-9-3.01 *et seq.*, and 515-9-7-.01.

V. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. THE COMMISSION FINDS AND CONCLUDES that it has jurisdiction over natural-gas utilities. (O.C.G.A. § 46-2-20). Specifically, the Commission maintains safety jurisdiction over all natural gas transmission and distribution facilities within Georgia, including those natural gas facilities which are owned and operated by municipalities. (O.C.G.A. § 46-2-20(i)). The Commission further has jurisdiction over Georgia intrastate natural gas operators pursuant to *inter alia*: 49 U.S.C.S. §§ 60105 and 60122, 49 C.F.R. Part 191, 49 C.F.R. Part 192; O.C.G.A. §§ 46-2-21, 46-2-30, 46-2-53, 46-2-90, 46-2-91, 46-4-1, 46-4-20 *et. seq.*, 50-13-1 *et seq.*; and Commission Rules 515-7-1-.01 *et. seq.*, 515-9-1-.01 *et. seq.*, 515-9-3-.01 *et. seq.*, 515-9-6-.01 and 515-9-7-.01 *et. seq.*

2. THE COMMISSION FURTHER FINDS AND CONCLUDES that the Atlanta Gas Light Company, the Cities of Buford, Sugar Hill and Lawrenceville are subject to the safety jurisdiction of the Commission.

3. THE COMMISSION FURTHER FINDS AND CONCLUDES that the Facilities Protection Unit Staff of the Commission has the authority to inspect the facilities of all Georgia natural gas providers pursuant to the legal citations contained *supra*.

4. THE COMMISSION FURTHER FINDS AND CONCLUDES that the Operator Joint Petition for waiver of Commission Rule 515-7-1-.15(6) and the hearing requirement are granted.

5. THE COMMISSION FURTHER FINDS AND CONCLUDES that the affected Operators hereby waive any further heating and/or further findings or conclusions of law with respect to the above-styled matters and agree the the Commission may enter an order based upon the agreements of the Gwinnett County Operators.

6. THE COMMISSION FURTHER FINDS AND CONCLUDES AGL shall abide by the terms of this Order and that failure to so comply may subject the Operators to civil penalties pursuant to O.C.G.A. § 46-2-91.

VII. ORDERING PARAGRAPHS

WHEREFORE, IT IS HEREBY ORDERED that all findings of fact and conclusions of law contained within the preceding sections of this Order are hereby adopted as the findings and conclusions of this Commission.

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 action of the Commission in Administrative Session on the 17th day of September 2025.

Sallie Tanner
Executive Secretary

9-17-25
Date

Jason Shaw
Chairman

9-17-25
Date