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Docket No. 56293
Axpo U.S. LLC Application
Natural Gas Marketer Certificate of Authority

PROCEDURAL AND SCHEDULING ORDER

I. Applicable Statutes

Pursuant to O.C.G.A. § 46-4-153 of the Georgia Natural Gas Competition and Deregulation Act of 1997 (the "Act"), a Certificate of Authority is necessary prior to providing or offering to provide gas service to firm retail customers in Georgia. As provided in O.C.G.A. § 46-4-153(a)(2), the Georgia Public Service Commission ("Commission") has the authority to approve natural gas Certificates of Authority. In order to be certificated, an applicant must demonstrate to the Commission that it meets the criteria set forth in the Act. Those criteria include that the applicant "(p)ossesses satisfactory financial and technical capability to render the Certificated service;" (O.C.G.A. § 46-4-153(a)(2)(A) "(h)as a sufficient gas supply to meet the requirements of such service;" (O.C.G.A. § 46-4-153(a)(2)(B) and "(w)ill offer such service pursuant to rules and contract terms which the commission finds economically viable for the territory which the marketer proposes to serve." O.C.G.A. §46-4-153(a) (2) (C).

II. Background

On July 3, 2025, Axpo U.S. LLC ("Axpo " or "Applicant" or "Company") filed an application for a Natural Gas Certificate of Authority ("Application") with the Commission. The ultimate parent company was identified as Axpo Group. The corporate structure has other reporting businesses that the Applicant is reports. The Staff has reviewed the initial Application and identified areas of deficiency. On July 15, 2025, a Notice of Incompleteness ("NOI") was filed in Docket No. 56293 to state the deficiencies. On August 7, 2025, the Applicant filed responses to Staff's NOI. Staff reviewed the

responses and determined that additional information was still needed. On August 20, 2025, the Staff and an Axpo representatives met to discuss the information needed to complete the Application. Staff informed the Company that a second NOI would be filed pertaining to the missing information. Their representative agreed to provide the missing information. On August 21, 2025, Staff filed the second NOI, per Commission Rule 515-7-7. Axpo has fifteen (15) business days to file a response to the second NOI, or the application will be deemed withdrawn. On September 11, 2025, Axpo provided a response to a second NOI. The Staff thoroughly reviewed the responses, and on **September 18, 2025**, the Staff informed Axpo that the application was whole and complete.

III. Discovery

This proceeding also shall be deemed "complex litigation" as that phrase is used in O.C.G.A. § 9-11-33(a). Discovery procedures shall apply accordingly. The Commission authorizes the Staff to issue discovery pursuant to O.C.G.A. § 46-2-57(a). The 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. Given the short statutory deadline, **Axpo and Staff have agreed that data request responses will be expedited and returned within 10 days for the period of October 7, 2025, to December 16, 2025, after issuance to the Company.**

IV. Notice

Pursuant to the Commission's Utility Rule 515-2-1-.04, Axpo is directed to give notice of this proceeding in this docket.

V. Hearing Schedule

Tuesday October 14th, 2025

Axpo and any other interested party shall file by 4:00 p.m. with the Executive Secretary's Office using the Commission's Alternative e-File system, file its direct testimony using Microsoft Word® format for text documents and Excel® for spreadsheets.

Tuesday November 18th, 2025

Immediately following its regularly scheduled Administrative Session, the Commission will commence the hearing, beginning with the testimony of any public witnesses pursuant to O.C.G.A. §46-2-59(g), and the hearing of any pending motions. After these preliminary matters, the Commission will hear the direct testimony of Axpo and any other interested party by whom testimony was filed in this docket.

Tuesday November 25th , 2025

All parties are to file their briefs and any proposed Orders in one simultaneous round by 4:00 p.m. on this date with the Executive Secretary's Office using the Commission's Alternative e-File system using Microsoft Word® format for text documents and Excel® for spreadsheets.

Commission Decision

Tuesday December 16th ,2025

The Commission shall render a decision in this matter at its regularly scheduled Administrative Session at 9:30 a.m.

VI. Procedures

The following are procedures to which any party to this hearing should adhere with respect to this docket:

1. Intervention:

(a) Any person or party upon whom a statute does not confer an unconditional right to intervene must file a Petition to intervene within 30 days following the first published notice of the proceedings using the Commission's e-File system.

(b) Petitions to intervene and Commission approval thereof are covered by O.C.G.A. §46-2-59 and Commission Utility Rule 515-2-1-.06. Each petitioner shall submit to the Executive Secretary's Office using the Commission's Alternative e-File system using Microsoft Word® format for text documents and Excel® for spreadsheets.

Petition to intervene to the Commission using the Commission's e-File system, addressed to:

Sallie Tanner, Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334

(c) Petitions must clearly specify the docket in which the petitioner seeks to intervene. In addition to the requirements prescribed in O.C.G.A.

§46-2-59 for Petitioners for leave to intervene, the petitioner must: (1) identify other intervening parties or intervening party petitioners whose interest is similar to that of the petitioner along with an explanation of why the identified intervening parties or intervening party petitioner will not adequately represent the petitioner's interest, and (2) state the petitioner'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 petitioner or intervening party.

Any objections to the Petitions must be filed in accordance with O.C.G.A. § 46-2-59(d).

(d) Any Petition for leave to intervene that is filed late must state the reason why such Petition was not filed within thirty (30) days of the first published notice. O.C.G.A. § 46-2-59(c). Objections to later intervention Petition must be filed in conformity with the requirements of O.C.G.A. § 46-2-59(d).

(e) The Commission will take up and rule on Petitions for leave to intervene at the first hearing date scheduled in this docket.

2. **Service:** In addition to filing with the Executive Secretary's Office by 4:00 p.m. using the Alternative E-filing portal. Documents should be submitted using Microsoft Word® format for text documents and Excel® for workbooks. Electronic copies of all pleadings, filings, correspondence, and any other documents related to and submitted in the course of this docketed matter should be served upon the following individuals, in their capacities as indicated below, and all other intervenors recognized by the Commission in this docket using the Commission's e-File system:

Keimani Harvey
Georgia Public Service Commission
244 Washington Street, S.W.
Atlanta, GA 30334

Pre-filed testimony shall be filed in conformity with Commission Rule 515-2-1-.04(3), except as expressly stated in this Order, using the Commission's e-File system.

3. **Testimony of Witnesses:**

(a) Summations of direct testimony will take no longer than ten (10) minutes, unless the Commission, in its discretion, allows for a longer period of time.

(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 respond.

(g) Only upon the authorization of the Commission shall any witnesses who have filed separate testimony be permitted to sit as a panel. The number of persons sitting on any panel shall not exceed four (4) persons, unless specifically authorized by the Commission.

(h) Absent good cause, motions to strike any portion of pre-filed testimony must be filed at least two (2) days prior to the hearing.

(i) Except for good cause shown, all exhibits to be used in the hearing must be pre-filed at least five (5) days prior to the hearing.

4. **Hearing Exhibits:** It shall be the responsibility of the party sponsoring any hearing exhibits to see that the court reporter and all parties of record, in addition to the individual Commissioners, receive paper copies of all exhibits at the time of their introduction at the hearing. [**Note**: Exhibits included with pre-filed testimony should already have been provided in the requisite number of copies filed with the Commission in accordance with Rule 515-2-1-.04(3) using the Commission's Alternative e-File system.]

Procedures to Intervene:

Petitions to intervene and Commission approval thereof are covered by O.C.G.A. § 46-2-59 and Commission Utility Rule 515-2-1-.06. Each petitioner shall submit five (5) copies of its Petition to intervene to the Commission along with an electronic version addressed to:

Sallie Tanner, Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

In addition, each petitioner shall submit a copy of its Petition to Axpo 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 intervenor petitioners, contact Ms. Diana Cain, Georgia Public Service Commission, 244 Washington Street, SW, Atlanta, GA 30334 (Telephone 404-656-0945).

* * * * *

WHEREFORE, IT IS ORDERED, that the Commission hereby adopts the procedures, schedules, and statements regarding the issues set forth within the Procedural and Scheduling Order.

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(s) as this Commission may deem just and proper.

The above by action of the Commission in Administrative Session on the 7th day of October, 2025.

Sallie Tanner
Executive Secretary

10-7-25
Date

Jason Shaw
Chairman

10-7-25
Date