



# ACCION GROUP

**STATE OF GEORGIA  
PUBLIC SERVICE COMMISSION**

**FINAL REPORT OF THE INDEPENDENT EVALUATOR  
REGARDING**



# Georgia Power

**2029-2031 CAPACITY  
REQUEST FOR PROPOSALS**

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**FINAL REPORT OF THE INDEPENDENT EVALUATOR  
RE: GEORGIA POWER COMPANY'S  
2029-2031 CAPACITY REQUEST FOR PROPOSALS**

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**I. EXECUTIVE SUMMARY**

Accion Group, LLC, served as the Independent Evaluator (“Accion” or “IE”), for Georgia Power Company's (“GPC”, “Georgia Power” or “the Company”) 2029-2031 All-Source Capacity Request for Proposals (“2029-2031 Capacity RFP” or “RFP”). Issued in response to the Company’s 2022 Integrated Resource Plan (“IRP”), the RFP sought to procure up to 8,500 Megawatts (“MW”) of “Capacity Resources that meet GPC’s identified capacity needs, including: (i) Standalone ESS with grid charging capability; (ii) ESS with Renewable Resource and grid charging capability; and (iii) thermal generation (e.g., natural gas or oil-fired).”<sup>1</sup> The Company considered both new and existing projects offered for power purchase agreement (“PPA”), asset purchase agreement (“APA”), build transfer agreement (“BTA”), as well as Company proposals (“Company-owned Proposals” or “COP”).

Throughout the RFP process the Staff was diligently engaged and worked closely with the IE to ensure the Georgia Public Service Commission (“GPSC” or “the Commission”) rules were followed, and that fairness was extended to every Bidder. Participation of the Staff was helpful as it provided perspective that was unique from that of the Company, Bidders, and the IE and throughout the RFP process the Staff was actively involved alongside the IE.

The RFP was conducted via the RFP Website (“Website”) provided by Accion, which hosted all RFP data and information. A robust response to the 2029-2031 Capacity RFP was received from the market. Fifty-seven (57) Bids from seventeen (17) Bidders were received; a total of fifty-four (54) Bids from 17 Bidders representing 22,657.74 MW were evaluated.<sup>2</sup> Detail of the number of projects is presented in Section VII of this Report, entitled “BID RECEIPT.”

The IE was available to Bidders throughout the process. The RFP Website provided a direct message feature through which Bidders could contact the IE. The identity of the IE was well publicized, and Bidders could easily contact the IE using a link on each page of the RFP Website. The IE reviewed all comments and questions posted on the RFP Website, and reviewed each answer prepared by the Evaluation Team in response to questions before each response was sent to Bidders. The IE monitored all post-Bid message exchanges between Bidders and the Evaluation Team. Also, the IE responded to every direct contact from a Bidder. No Bidder contacted the IE claiming the RFP process, Bid process, or any aspect of the RFP was unfair, discriminatory, or in any way was biased for or against any Bidder or type of Bid.

The IE believes the RFP was designed to be fair and adhered to the rules of the GPSC. All Bidders had access to the same information at the same time and had multiple opportunities before the Bid process commenced and through the comment process to identify what they believed to be shortcomings in the RFP, and to offer suggestions for making the RFP attractive to competitive Bidding. No Bidder contacted the IE with a complaint about the RFP process, standards, or execution. The IE believes the RFP was conducted fairly and that

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<sup>1</sup> RFP at 16.

<sup>2</sup> Three Bids from one potential Bidder were submitted but withdrawn during the initial confirmation process.

all Bids were evaluated using the same standards and procedures. Further, the IE conducted an independent evaluation of all Bids and concurs with the final resource selections made by Georgia Power.

## **II. INDEPENDENT EVALUATOR**

### **A. ABOUT THE INDEPENDENT EVALUATOR**

With more than 40 years of in-depth experience in electric, gas, water, and renewable utilities, Accion Group's diverse consortium of consultants provides insightful, candid, and practical advice to the utility industry and their associated government regulatory bodies. Headquartered in Concord, New Hampshire, with a branch office in suburban Washington, D.C. and consulting affiliates nationwide, Accion's specialties range from competitive procurement and utility management to construction monitoring and nuclear decommissioning.

Since its incorporation in 2001, Accion has been routinely involved in high-profile consulting engagements, thus securing a reputation as one of the premier firms providing independent review of utility procurement practices. Accion has served as Independent Evaluator, Independent Monitor, or Independent Observer to state commissions on over 250 competitive solicitations in markets including California, Hawaii, Georgia, Colorado, Montana, North Carolina, South Carolina, Oregon, Florida, Arizona, and Puerto Rico. Accion Group has also assisted utilities in the preparation for, and the conduct of, power supply solicitations in Maryland, Massachusetts, New York, and Nevada. Having reviewed proposals for generation by renewable sources (including wind, solar, biomass, wave action, storage, low-head hydroelectric, geothermal, and methane capture), as well as for generation by new-build facilities using nuclear power, natural gas, and coal fuels, Accion's consultants are well-versed in the subtleties of utility procurement practices. Accion's ultimate goal as IE is the same as the purchasing utility and state regulators: ensuring the solicitation obtains the best deal possible for ratepayers, given current market and regulatory conditions in terms of both price and non-price factors.

### **B. THE IE'S ROLE IN THE RFP**

As IE, Accion reviewed the process designed by the Evaluation Team prior to releasing the RFP. This review included the following:

- The Company's efforts to identify prospective Bidders and publicize the RFP;
- The terms and conditions that would control both the RFP process and any resulting contracts;
- The evaluation criteria and methodology to be employed;
- The procedures employed to ensure that all Bidders would have access to the same information at the same time;
- The form and content of all draft RFP documents;
- The procedures designed to encourage Bidder input on the quality and content of RFP documents and RFP procedures; and
- The design and implementation of the affiliate Standards of Conduct protocols.

Accion Group designed and operated the Website for the receipt of Bids, which hosted and captured for review all RFP-related information and all Website activity. The Website facilitated Accion's ability to closely

monitor communications during the RFP process. Accion Group participated in the Bidders' Conference Webinar ("Conference" or "Bidders' Conference"). Other than those asked during the Conference, all questions from Bidders were submitted on the Website and the Evaluation Team's response to each question was reviewed by the IE prior to the question being answered on the Website. Accion also reviewed the comments provided by the Bidders before the RFP was released, discussed those comments that suggested changes to the RFP documents with the Evaluation Team, and reviewed the Evaluation Team's responses to the comments, before forwarding them back to the respective Bidders.

### III. BACKGROUND

The purpose of the RFP was to "procure Capacity Resources that meet GPC's identified capacity needs, including: (i) Standalone ESS with grid charging capability; (ii) ESS with Renewable Resource and grid charging capability; and (iii) thermal generation (e.g., natural gas or oil-fired)." <sup>3</sup> The RFP Website was released on December 14, 2023.

On March 4, 2024, the Evaluation Team conducted a Bidders Conference via webinar. The Evaluation Team and the IE provided presentations and answered questions during the Conference. All questions were recorded, and written responses were posted on the RFP Website, along with copies of presentation materials, so that all Bidders, regardless of whether they participated in the Conference, would have access to the same information.

Bidders were afforded multiple opportunities to assist in the preparation of the RFP and the pro-forma contracts through anonymous comments submitted through the RFP Website. Two comment periods were held between February and May of 2024. All comments were given thorough review by the Evaluation Team, the IE and the Staff before final RFP documents were presented to the Commission for approval.

The Company filed for approval of the Final Draft documents for the RFP on June 20, 2024 and the Commission approved the Final Documents by Order dated July 3, 2024.

Once approval of the program was received from the Commission, details of the 2029-2031 Capacity RFP were posted on the Independent Evaluator's Website and the Bid Form ("Bid Form") was released on the RFP Website. All Bids were received through the RFP Website, with the Bidding period opening on June 20 and ending July 18, 2024 for COP and Affiliate Bidders and on July 19, 2024 for all other Bidders.

The Evaluation Team and the IE commenced evaluations immediately after the Bid process closed. During this period, clarifying requests were made of Bidders through the RFP Website and extensive evaluation was conducted of each Bid and the transmission impact of each Bid. Staff was actively involved in each round of evaluation and kept advised by the IE of each phase of the evaluation. The evaluation process is discussed below.

Once the final Short List of Bids was established on May 16, 2025, discussions were held with the Finalists to confirm the bid and contract terms. The IE and Staff participated in each meeting with the Finalists. During the review of draft RFP documents and the comments received by potential bidders, Staff and the IE questioned certain terms regarding GPC PPA termination rights, change of control, and assignments. These issues remained

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<sup>3</sup> RFP at 16

concerns of bidders after the Short List was established. Clarifications were addressed and the discussions produced refinements to the pro-forma PPAs for the sole purpose of project specific requirements. No Bidder was permitted to re-price a Bid or otherwise shift the risks and benefits between the Bidder and GPC. The PPA refinements were incorporated into the final PPAs presented to Bidders for execution. There were extensive discussions with one bidder regarding a PPA for a thermal project, principally surrounding the issues Staff and the IE urged GPC to reconsider the Company's position during the comment period. Eventually the bidder withdrew the bid and raised the issues again during the subsequent Feedback Session in September 2025.

Due to the interest in the RFP, and the challenges in meeting the program goals, GPC, IE and Staff conducted a Feedback Session on September 15, 2025. The session was open to all bidders that had submitted bids, regardless of whether they were selected for Short List, or whether they ultimately executed a contract. The purpose of the session was to have a frank discussion with bidders, with the IE and Staff present, to explore ways to improve the RFP process. There was a session with all participants and then separate individual sessions for bidders so that project specific concerns could be discussed without concern about sharing market with competitors. The IE participated in each session and Staff was invited to all of the meetings. The feedback will be used when reviewing the RFP documents for the next All-Source RFP.

#### **IV. PROCUREMENT GUIDELINES**

With the cooperation of Staff, Accion Group worked with GPC to design the competitive Procurement Website to securely and efficiently manage the RFP process. Structured on Accion Group's proprietary Procurement Website platform, the underlying principles of the IE's RFP Procurement Website were to execute a solicitation process that met both GPSC and Federal Energy Regulatory Commission ("FERC") standards while providing information to Bidders in an equal, understandable, and transparent manner, and allowing all registrants to participate in the bidding process with confidentiality. To meet GPSC and FERC standards, the IE's Website was designed to provide complete security for confidential documents and anonymity for Bidders, thus avoiding unequal treatment or unfair bias towards or against any Bidder. The Website facilitated exchanges with interested parties before the Bid date, managed Bidder Conference information, and handled Bids and post-Bid exchanges. During the RFP process, which began December 14, 2023, through the date of this Report, the Procurement Website was accessed 227,184 times.<sup>4</sup> "Test Accounts" were used by the IE to access the Site for administrative and maintenance tasks. The substantial number of times individuals accessed the RFP Website indicated the ability of the Public and potential Bidders to access RFP information, and to participate in the RFP through the secure Website.

##### **A. COMPLIANCE WITH FERC GUIDELINES**

Because the RFP was open to GPC affiliates, Accion applied the FERC standards for competitive solicitations. Accion is a well-known and respected firm with significant experience as an IE or Independent Monitor for competitive solicitations by electric utilities. Accion served as IE for over 200 solicitations, a number

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<sup>4</sup> Commission Staff, Company Personnel, the IE and Site Administrator logons are included in the total number of times Registrants logged on to the Site.

of which were open to affiliate bidding. Accion reports have been submitted to FERC in prior solicitations, each of which was found to confirm adherence to FERC solicitation guidelines.

This RFP included the opportunity for affiliates of GPC to participate. Because wholesale sales of electric power by an affiliate must also be approved by FERC, the RFP was designed and implemented in a manner so as to meet the FERC requirements in the event an affiliate was a successful Bidder. In 1991, FERC first articulated these requirements in the case of Boston Edison Company re: Edgar Electric Company.<sup>5</sup> The Edgar case established three criteria that must be met if an affiliate is to be awarded a contract from an RFP: (1) the RFP must be designed and implemented without undue preference for the affiliate; (2) the analysis of proposals received must not favor the affiliate, particularly as to non-price factors; and (3) if the affiliate is selected for a contract, its selection must be based on a reasonable combination of price and non-price factors. These Edgar criteria were intended to both ensure ratepayers are protected and that transactions with an affiliate are above suspicion. On July 29, 2004, the FERC issued “Order Granting Authorization to Make Affiliate Sales”<sup>6</sup>, which remains the standard of today and contained a set of guidelines that FERC uses today to evaluate the fairness of RFPs and ensure it satisfies the Edgar criteria. These guidelines are commonly referred to as the Allegheny guidelines. The Allegheny guidelines are described in the Order as follows:

*The underlying principle when evaluating an RFP under the Edgar criteria is that no affiliate should receive undue preference during any stage of the RFP. The following four guidelines will help the Commission determine if an RFP satisfies that underlying principle.*

- 1. Transparency:** *The competitive solicitation process should be open and fair.*
- 2. Definition:** *The product or products sought through the competitive solicitation should be precisely defined.*
- 3. Evaluation:** *Evaluation criteria should be standardized and applied equally to all Bids and Bidders.*
- 4. Oversight:** *An independent third party should design the solicitation, administer bidding, and evaluate Bids prior to the company’s selection.<sup>7</sup>*

Whether serving as IE or Independent Monitor, Accion Group expects utilities to adhere to the highest standards for fairness and openness when conducting a competitive solicitation process. Similarly, Accion expects utilities to establish and follow RFP protocols that are free from actual or perceived bias. To this end, we look to the FERC-established Edgar criteria, along with the standards established by the Commission for competitive bidding, to judge the quality of GPC’s RFP process. To ensure transparency and fairness throughout the RFP process, GPC used Accion Group’s IE Procurement Website platform to transmit the RFP, all related RFP documents and RFP information, and to communicate with Bidders during the solicitation process. Doing so facilitated GPC’s compliance with FERC’s Allegheny guidelines and the Commission’s rules on Request for Proposals Procedure under Chapter 515-3-4, “Integrated Resource Planning,” of the Commission’s General Rules.

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<sup>5</sup> *Edgar Electric Company*, 55 F.E.R.C ¶ 61,382 (1991)

<sup>6</sup> *Allegheny Energy Supply Company, LLC*, 108 F.E.R.C ¶ 61,082 (2004)

<sup>7</sup> 108 F.E.R.C ¶ 61,082 (2004) at 22

As IE, Accion found that the Company's procurement process adhered to the FERC-established Allegheny guidelines outlined above. The IE Website functioned in a manner that met the strict protocols of transparency, definition, evaluation, and oversight, as defined by FERC. In the remainder of this section, we present a detailed overview of how each of the four FERC Guidelines was met and documented on the Website.

### **1. Transparency Principle**

*Transparency is the free flow of information to all parties. (108 F.E.R.C ¶ 61,082 at 23)*

The transparency principle requires the RFP process to be open and fair to all participants. The IE Website used for the 2029-2031 Capacity RFP provided all parties with Procurement Website access to the same information at the same time. Bidders were required to use the Website for access to all information, including documents provided by the Company and answers to questions posed by Bidders. All solicitation information was date-stamped when posted, and all RFP documents and data were able to be accessed by registered users at any time. Whenever a document was uploaded, a question was posed, an answer posted, or a calendar event listed, all registered users of the Website were able to view this information immediately. Automatic emails were sent to every registered user notifying them of the new information available and directing users to the specific site page where it could be located.

*Instead of individually inviting specific Bidders, the utility should allow all interested parties to Bid on the RFP. All aspects of the competitive solicitation should be widely publicized. (108 F.E.R.C ¶ 61,082 at 23)*

The IE Procurement Website allowed all interested parties to register for complete access to the procurement site. Any individual or company visiting the site was welcomed to submit their registration as a potential Bidder. Moreover, users could register as "non-Bidders" to have full access to the site, except for individualized, confidential Bid Books ("Bid Book"). The IE Procurement Website was available to the public and was also easily accessible via search engine and the Commission's Website. Announcements about the RFP were posted on the Website and available to the public. Registered users were sent automatically generated notices whenever an announcement was posted. The Website preserved a copy of every announcement, even after it was removed from public viewing.

*Any communication between RFP issuer and Bidder that are not part of the Bid should be made available to all other Bidders. (108 F.E.R.C ¶ 61,082 at 23)*

All communication between GPC and Bidders that was not specific to an individual Bid was made available to other Bidders through pages accessible on the IE Procurement Website. For example, all users registered to the site were able to access the Question and Answer ("Q&A") page, where questions and answers were posted while maintaining Bidder confidentiality. When Bidders posed questions to GPC, the questions, along with the answers, were posted to the Q&A page and an automatic email was sent to all registered users alerting them of new communication posted to the site. The Procurement Website's secure data collection feature ensured that the identity of the Bidders posing the questions remained anonymous. All questions posted during the Bidders' Conference were recorded and subsequently posted on the Website, along with answers from GPC.

Any communication between the Bidder and the Evaluation Team relating to the Bidder's specific Bid proposal remained confidential and was retained in a secure folder accessible only by the Bidder, the Evaluation Team, Staff, and the IE.

*Negotiation may occur after the bidding; for example, when a Short List has been compiled or a winner has been selected. (108 F.E.R.C ¶ 61,082 at 26)*

The Procurement Website was designed to manage the exchange of documents during post-Bid negotiations, mitigating any transparency concerns and providing a continued online conduit for information exchanges during the RFP process. Each Bidder received a secure Bid Book, through which information was exchanged with the Evaluation Team. These Bid Books contain folders specifically designated for all messages between the Bidder and the Evaluation Team, allowing for postings of contracts and communications. All communications were monitored by the IE, and the IE participated in each discussion between GPC and any Bidder. Each post-Bid document was date-stamped when uploaded to the respective Bid Book, providing the Company and the Commission with a permanent record of the solicitation and related negotiations.

## **2. Definition Principle**

*The product or products sought through the RFP should be defined in a manner that is clear and nondiscriminatory. (108 F.E.R.C ¶ 61,082 at 27)*

Draft RFP documents were posted on the Website and anonymous comments were solicited from prospective Bidders, thereby ensuring that the products sought through the final version of the RFP were defined in a clear manner understandable to all Bidders. The Website also featured a Q&A page on which any registered user to the Website was able to post questions anonymously regarding products being sought in the RFP. The question submitted and the answer provided by the utility, Staff, or the IE, were accessible to registered users immediately after the information was posted.

*If there are changes in the product specification, rebids should be allowed.*

*(108 F.E.R.C ¶ 61,082 at 27)*

There were no changes in the products being sought in the RFP. However, there was an opportunity for bidders with confirming bids to refresh pricing on January 14, 2025, due to the elapse of time between the bid receipt date of July 19, 2024.

## **3. Evaluation Principle**

*RFPs should clearly specify the price and non-price criteria under which Bids will be evaluated.*

*(108 F.E.R.C ¶ 61,082 at 29)*

The RFP documents provided clear and complete product definitions and full disclosure of the evaluation process. With respect to this aspect of the RFP, the IE conducted an online "comment process" wherein interested parties were invited to suggest edits to the draft RFP documents in order to identify areas of confusion on the part of the marketplace. The Q&A feature on the website also provided the means for bidders to identify confusion about the evaluation process. No bidder challenged the evaluation process. In addition, Accion Group found the RFP documents to be thorough, accurate, and complete. Thorough RFP documents, opportunity for clarification and questions, and equal access to all information regarding the products sought by GPC gave all prospective

participants clear information as to the products being sought and the competitive solicitation process to be employed to evaluate the proposals.

RFP issuer and Bidders will usually need to divulge commercially sensitive information in the solicitation process. (108 F.E.R.C ¶ 61,082 at 31)

In order to ensure confidentiality and security throughout the online bidding process, the Procurement Website featured a 2048 Bit security certificate to ensure the privacy and security of all transactions made through the solicitation platform. Furthermore, every Bidder automatically received a secure Bid Book folder for all Bid-related documents. This Bid Book served as a secure repository of confidential Bid-related information enabling Bidders, the IE, and the Evaluation Team to securely post relevant documents and communications while maintaining Bidder anonymity and ensuring that commercially sensitive information was not inadvertently released to the public or to other Bidders. Only the named Bidder, the IE, certain Staff members, and the Evaluation Team were able to access documents in each Bid Book folder.

In addition, the Website maintained comprehensive logs detailing when a user was logged in, and what actions were taken while on the Website (such as page views or document uploads and downloads). As a result, any questions regarding privacy or questionable access to documents could be answered by reviewing Website access and user logs, which confirm every action taken on the site.

#### **4. Oversight Principle**

Effective oversight of competitive solicitations can be accomplished by using an independent third party in the design, administration, and evaluation stages of the competitive solicitation process. (108 F.E.R.C ¶ 61,082 at 32)

Accion's oversight as IE began before the draft RFP was released for public review. All aspects of the RFP were managed through the Website, ensuring security, transparency, and confidentiality, while also creating a permanent log of all RFP activity. All registration, pre-qualification, bidding, communication, Q&A, and post-Bid exchanges were handled through the Website's secure online RFP management system, allowing Accion to provide effective oversight of the entire RFP process, and making review of the process possible with date-stamped entries. These Website records and logs serve as a permanent record of Georgia's solicitation process, providing the Evaluation Team and the Commission with the date and time of every action taken by Bidders, the utility, the Commission, and the IE.

A minimum criterion for independence is that the third party has no financial interest in any of the potential Bidders, including the affiliate, or in the outcome of the process. In this context 'independence' means that the third party's decision-making process is independent of the affiliate and all Bidders. (108 F.E.R.C ¶ 61,082 at 33)

Accion had no financial interest in any of the potential Bidders, GPC, GPC affiliates, or in the outcome of the process, and would not have accepted this engagement if there had been even the appearance of a conflict of interest. This independence is periodically reviewed by the Commission.

The independent third party should be able to make a determination that the RFP process is transparent and fair. The independent third party's role as the sole link for transmitting

information between potential Bidders and RFP issuer would also help to ensure that the RFP design will not favor any particular Bidder, particularly an affiliate. (108 F.E.R.C ¶ 61,082 at 35)

The IE Procurement Website served as the sole link for all interactions between Bidders and the RFP issuer, and provided all Bidders with 24-7, real-time access to updates, documents, announcements, and all Bid-related communications and information. The Website allowed the IE to monitor every question, comment, document upload, and interaction during the solicitation. Because anonymity, confidentiality, and security are fundamental built-in components of the RFP Website platform, the IE is able to make a demonstrably strong judgment as to the fairness of Georgia's RFP process. Bidders were prohibited from direct contact with utility personnel, except when during site-specific discussions and site visits which were monitored by the IE.

## **B. PROCUREMENT WEBSITE**

Once the IE released the RFP Website, general information relating to the 2029-2031 All-Source Capacity solicitation was available to the public, and individuals were able to register on the Website as either Bidders or Non-Bidders. Upon registration, each individual received an automatic email notification acknowledging successful registration to the Site along with an individual User ID and automatically generated password.

The Website was designed and employed to prevent the Evaluation Team from knowing the identity of any Bidder prior to the IE releasing Bids at the point when the Competitive Tier was to be established. The IE screened messages and questions posted to the site and removed Bidder-specific references to maintain anonymity. After the Bid period closed the IE provided the Evaluation Team with a "price only" summary of Bids for an initial ranking of Bids. That summary removed all reference to the Bidder and the location of the proposed project. After the summary was reviewed and ranked, the IE provided the Evaluation Team with access to the Bid Books, and all of the information provided by Bidders.

Those who registered as Bidders were automatically provided with a confidential, personal Bid Book that provided a secure platform through which all communication between the Evaluation Team and Bidders occurred; thus, it also preserved a permanent record of all interactions. Once the Bid period closed, nearly all exchanges between the Evaluation Team and a Bidder were done through the individual, secure Bid Book. Both the Evaluation Team and the Bidder could upload memos and other documents within the Bid Book, and the Website generated an automatic email to alert the other party of the interaction. Non-Bidders had access to all public information other than the Bid Form.

Communication with Bidders also consisted of the IE and GPC sending "blast" emails from the Website, which made certain that registrants received the same information pertaining to RFP developments at the same time. For example, in the days prior to the Bid submission date Bidders were sent several reminders.

The Evaluation Team, Staff, and Accion collaborated to produce Announcements, Calendar events, Frequently Asked Questions ("FAQ"), RFP documents, and a Q&A page on the Website in order to provide all registrants with up-to-date information. All registered users of the Website received automatic email announcements whenever an announcement, document, or FAQ was posted, and when the schedule was adjusted.

## RFP Information was Accessible and Clear

### **a. Frequently Asked Questions (FAQs)**

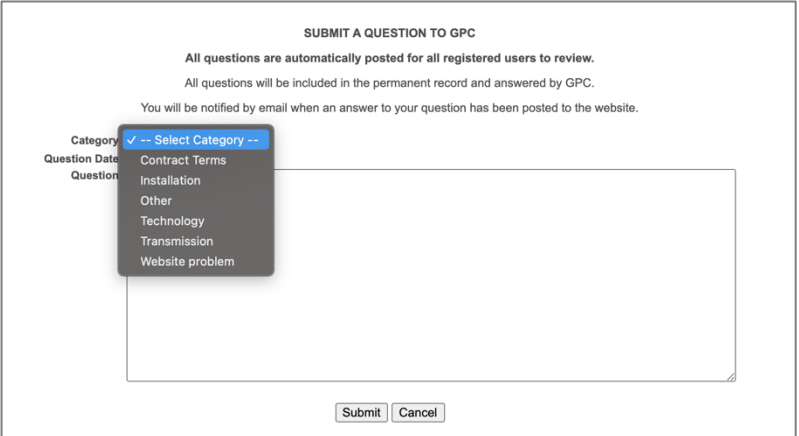
The FAQs page displayed answers to the most commonly asked questions about the Website and the 2029-2031 Capacity RFP. GPC's FAQs were accessible to the public and covered topics including Background, Bid Procedures, Bidder Eligibility, Website Operation, and what to do if a Bidder had a question that involved confidential information regarding a project. If the answer to a question was not available on this page, Bidders were instructed to check the Q&A page to see if their question was previously answered. If their question was not answered on the FAQs or Q&A pages, they were instructed to post their question on the Q&A page, and to not contact the Evaluation Team directly.

### **b. Questions and Answers (Q&A)**

All registered users of the RFP Website had the ability to anonymously submit questions via the online Q&A page, as shown in Figure 1.

All Questions and Answers were visible to all public and registered users of the Website immediately after being posted. To avoid an inadvertent disclosure of Bidder's information, such as when a Bidder included their name in a question, the IE established a "GPC Messages Board" to transfer Bidder questions to members of the Evaluation Team after the IE removed all information which could identify a Bidder. With this process the Evaluation Team responded to Bidder inquiries via the GPC Messages and, after review, the IE posted the answer on the Website Q&A page. When a question was posted, the individual who posed the question received an automatically generated email from the Website with the answer. A screenshot taken from the IE Website showing one question and answer (Ref #2 Posted) is shown in Figure 2. In addition, all questions and answers could be downloaded, printed, and exported to create an Excel Spreadsheet.

**Figure 1**  
**Question & Answer Feature-Ask a Question**



SUBMIT A QUESTION TO GPC

All questions are automatically posted for all registered users to review.  
All questions will be included in the permanent record and answered by GPC.  
You will be notified by email when an answer to your question has been posted to the website.

Category: **-- Select Category --**

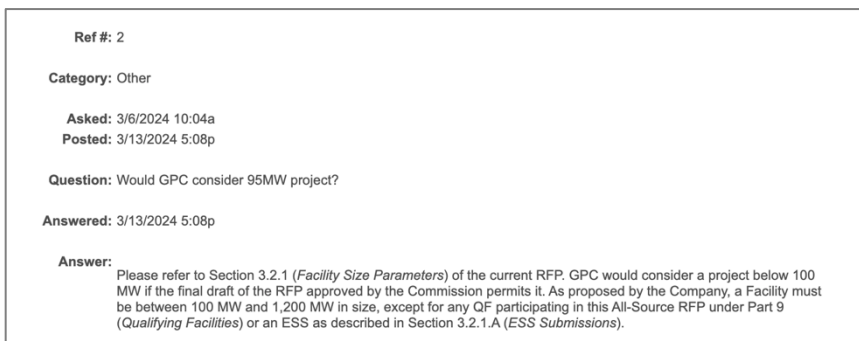
- Contract Terms
- Installation
- Other
- Technology
- Transmission
- Website problem

Question Date: \_\_\_\_\_

Question: \_\_\_\_\_

Submit Cancel

**Figure 2**



Ref #: 2

Category: Other

Asked: 3/6/2024 10:04a  
Posted: 3/13/2024 5:08p

Question: Would GPC consider 95MW project?

Answered: 3/13/2024 5:08p

Answer:  
Please refer to Section 3.2.1 (*Facility Size Parameters*) of the current RFP. GPC would consider a project below 100 MW if the final draft of the RFP approved by the Commission permits it. As proposed by the Company, a Facility must be between 100 MW and 1,200 MW in size, except for any QF participating in this All-Source RFP under Part 9 (*Qualifying Facilities*) or an ESS as described in Section 3.2.1.A (*ESS Submissions*).

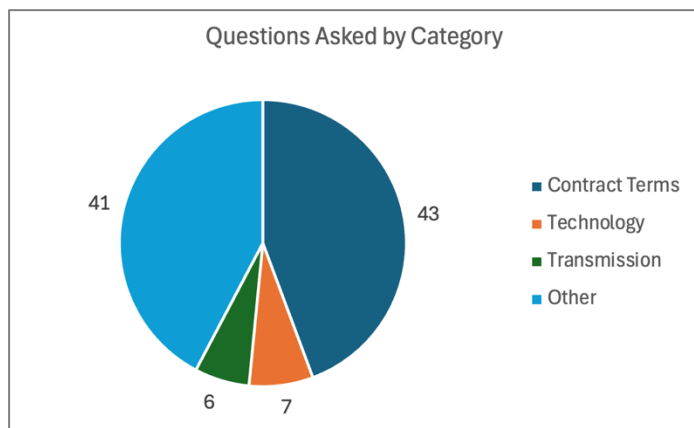
Once the Bid period closed July 19, 2024, the opportunity to ask questions via the Q&A was terminated. Bidders were directed to exclusively use the Message Board to ask questions and communicate with the IE and Evaluation Team regarding their Bid(s).

When the Q&A feature was closed, a total of 97 questions had been posted on the Q&A page. Prior to selection of the Competitive Tier, GPC did not have access to, nor was it aware of the identity of Bidders, and the IE monitored and screened Messages to ensure Bidder identity was not divulged. The anonymity of the Q&A page ensured that all Bidders had immediate access to questions and answers that were posted, and that the Evaluation Team considered questions without regard for the source. The Evaluation Team or the IE answered all questions.

GPC’s goal was to respond to all questions within two (2) business days, after reviewing the response with the IE and Staff. In this RFP the average response time was six (6) days.

The Website sorted all questions into five categories: Installation, Technology, Transmission, Contract Terms, and Other. Registered individuals asked seven (7) questions regarding Technology, 6 questions relating to Transmission, 43 questions relating to Contract Terms, and 41 questions relating to “Other.”

**Figure 3**



The questions raised in the Q&A provided another opportunity for the IE, Evaluation Team, and the Staff to gauge the clarity of the RFP materials. The IE believes the public Q&A feature permitted all Bidders to have access to the same information at the same time.

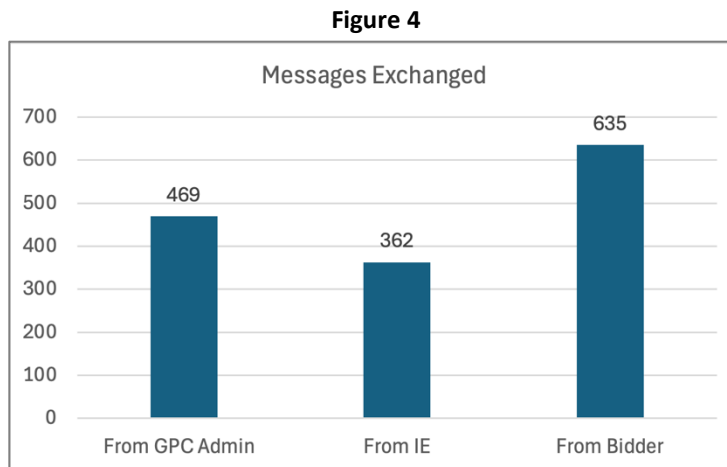
**c. Message Board**



The confidential “Messages” feature was activated for registered Bidders after the Bidders Conference Webinar on March 4, 2024. On the RFP Website, Bidders were able to correspond with the IE through the confidential ‘Messages’ link on the navigation bar. Once the bid period closed, the GPC Evaluation Team used the confidential message board to confirm bid details and correspond with Bidders regarding evaluation. This correspondence was monitored by the IE and GPSC Staff, but was not available to persons other than the individual Bidders and the Evaluation Team. Prior to the Bid due date, the Messages feature was used only for questions that disclosed confidential Bid-specific information, and therefore, could not be asked via the Q&A.

The IE is unaware of any exchanges between the Evaluation Team and any Bidder by email or otherwise. All correspondence exchanged via the Message Board was preserved for review by the Commission.

There were 1,466 messages exchanged via the Message Board. Bidders submitted 635 Messages to the Company, and 831 Messages were submitted by GPC or the IE either responding to specific Bidders' questions or requesting Bid clarifications (See Figure 4). The considerable number of communications via the Message Board signified there were robust exchanges with Bidders, but more importantly, quantified documentation of most of the exchanges without Company or IE filing intervention.



In addition to the confidential Message Board, for problems concerning the RFP process, or for assistance with technical problems on the Website, all Website Users could contact the IE via a link located at the bottom of every page of the Website. Users contacted the IE 23 times for assistance. As with the Messages Board, all correspondence exchanged via the Contact link was preserved for review by the Commission.

## V. PRE-BID ACTIVITIES

The RFP was structured to strictly respect the protocols established by the Commission. To avoid the inadvertent violation of these protocols, Bidders were advised to avoid attempting direct contact with members of the GPC Evaluation Team. The Standards of Conduct were clearly established before the RFP was publicly announced and were respected by the Evaluation and the Bid Teams throughout the process. The IE is unaware of any violation of the protocols by either the Evaluation Team or the Bid Team members, from the pre-Bid period through the completion of the RFP.

### A. RFP STANDARD OF CONDUCT

#### a. Background

To the best of the IE's knowledge, the GPC Evaluation Team personnel adhered to the strict Standard of Conduct Requirements per the GPSC Rules concerning affiliates. The same standard of care was applied to avoid any interaction between the Evaluation Team and the COP team, outside of using the IE Message Board.

#### b. Teams

Individuals involved in the RFP for GPC were identified as being on the Evaluation Team, and their names were posted on the IE Website to advise Bidders of the GPC personnel who would not accept any direct contact. The Evaluation Team was responsible for developing and designing the RFP and evaluated the proposals received from the third-party Bidders.

To ensure avoidance of even the appearance of violation of the Standard of Conduct, the IE reviewed the list of team members for the Evaluation Team, the COP Team and the Affiliate Bid Team, prior to the release of the RFP and throughout the process as changes were made. During that pre-bid period the IE identified an overlap

in personnel in the transmission field who might be called upon by both the Evaluation Team and the COP Team. The IE determined that the overlap was present due to the COP Team including all transmission personnel from whom information might be sought after proposals were submitted. The Staff joined the IE in insisting that there be absolutely no overlap of personnel. With the agreement of the Staff the IE conducted a review of the roles and responsibilities of the individuals identified and established which persons would be dedicated to which team, thereby eliminating all overlap except two members of the Southern Company Treasury department whose role focused solely on credit worthiness assessments and financial impact analysis, which was fully disclosed by GPC and found appropriate by both the IE and GPSC Staff. The team lists published on the IE Website confirmed there any overlap among the teams.

### **c. Protocols**

The IE believes that no member of the Evaluation Team, nor any Specialized Technical Support personnel was a member of any Affiliate Bid Team as that is defined in GPSC Rule 515-3-4-.04(3). The IE is unaware of any communication with any member of any Affiliate Bid Team that would be in violation of GPSC Rule 515-3-4-.04(3). Each member of the Evaluation Team and all Specialized Technical Support personnel completed Standards of Conduct training and provided an affidavit of compliance confirming familiarity with GPSC Rule 515-3-4-.04(3).

GPSC Rule 515-3-4-.04(3)(d) applied to all communications.

### **B. LIST OF POTENTIAL BIDDERS - Rule 515-3-4-.04 (3)(e) i**

When the IE RFP Website was released, a notice was sent to all individuals who previously registered with GPC as desiring to receive notice of RFPs, and to an RFP “contact list” of individuals who registered on the Accion Power Website for notification when the RFP Website was launched. In addition, the IE sent a notice of the RFP to approximately 5,000 individuals who have participated in other solicitations that Accion Group has conducted. Accordingly, the IE believes adequate public notice of the RFP occurred.

The following Announcement was posted to the RFP Website on December 14, 2023:

***12/14/2023 11:30 AM***

*Georgia Power is pleased to announce the launch of its All-Source Request for Proposals for capacity resources needed in years 2029-2031. This capacity-based RFP was approved by the Georgia Public Service Commission as part of Georgia Power’s 2022 Integrated Resource Plan and is designed to procure resources to meet Georgia Power’s customers’ capacity needs. More information is coming soon. Interested parties are encouraged to become familiar with the IE Website found at <https://gpc2029-2031all-sourcerfp.accionpower.com>. Registration is required through the IE Website as it will be the sole means of communication between Georgia Power and interested participants.*

### C. REGISTRATION TO THE RFP WEBSITE

The IE is satisfied that GPC used reasonable efforts to disseminate information about this RFP. There were 418 individuals registered on the IE Website from a total of 36 jurisdictions. The IE believes this level of interest confirms that developers were made aware of this RFP.

The following charts shown in Figures 5 and 6 show the breakdown of all registered users on the 2029-2031 Capacity RFP Website by category and by state of the registrant.

Figure 5

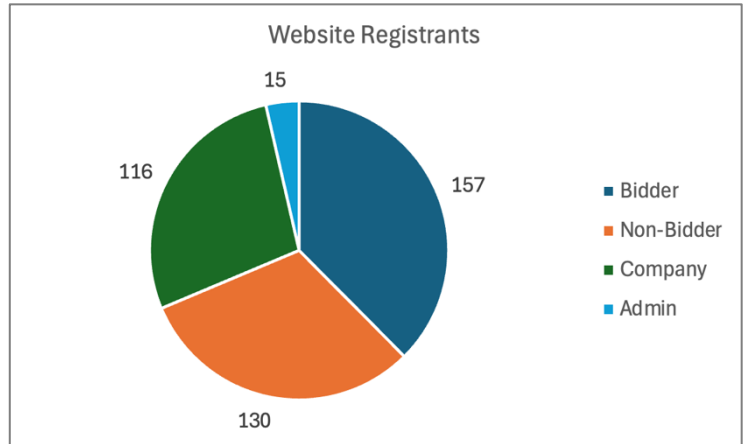


Figure 6

States Represented	# Of Registrants	States Represented	# Of Registrants
Alabama	66	Nebraska	3
Arizona	3	Nevada	4
Arkansas	2	New Hampshire	16
California	24	New Jersey	5
Colorado	26	New York	12
Connecticut	2	North Carolina	11
Delaware	2	North Dakota	1
Florida	15	Ohio	1
Georgia	112	Pennsylvania	2
Idaho	2	Quebec	1
Illinois	5	South Carolina	1
Indiana	1	Tennessee	4
Kansas	2	Texas	46
Maine	2	Utah	2
Maryland	1	Vermont	3
Massachusetts	8	Virginia	9
Minnesota	1	Washington	5
Missouri	1	<b>Total:</b>	<b>402<sup>8</sup></b>
Montana	1		

### VI. RFP DOCUMENTS

On February 26, 2024, GPC filed with the GPSC the draft RFP to be used for the Capacity 2029-2031 RFP. The draft Pro Forma PPAs were filed with the GPSC on March 8, 2024. Additional RFP pro-forma APA and BTA documents were filed on May 10, 2024. The RFP Documents were prepared by the Evaluation Team, the IE, and

<sup>8</sup> 16 company and IE registrations did not include states or jurisdictions, resulting in this discrepancy.

Staff based on the documents previously approved by the Commission for use in prior GPC solicitations and were reviewed by the IE and Staff prior to being finalized.

The IE believes the RFP Documents provided sufficient detail to permit a qualified Bidder to understand the terms and conditions of the RFP, and to prepare a responsive Bid. The IE noted that the evaluation process, as presented in the draft RFP, was descriptive and appropriate. As with prior RFPs, GPC made personnel available to work with the IE and the Staff to review each provision of the RFP Documents. The review was comprehensive, and included consideration of all terms and conditions, regardless of whether they had been previously approved for use in a different RFP. This review by Staff, IE and GPC included a detailed review of all comments received during the Comment Period.

The IE believes the Draft RFP Documents were comprehensive and free of apparent bias for or against any Bid type, any of the identified technology options, or any Bidder anticipated to participate in this RFP. Further, the RFP made appropriate provisions to treat all Bids when submitted in an equivalent manner. The RFP clearly described the preferred products sought by the Company and the minimum requirements a Bid must meet in order to be considered. The RFP terms, such as pricing structure, creditworthiness, transmission access, and reliability, were equally applicable to all Bidders. As noted elsewhere, while comprehensive the RFP documents were drafted without the benefit of a crystal ball foreseeing changes that would occur after January 2025. Those changes extended the final evaluation process as all parties worked together to confirm that the successful bids remained viable.

#### **A. INPUT FROM INTERESTED PARTIES**

The Commission's rules provided that "[p]otential Bidders may submit written questions or recommendations to the IE regarding the draft RFP and RFP Documents in advance of the Bidder's Conference." Rule 515-3-4-.04 (3) (e) 1,vi. This rule was honored; the IE and Staff provided a Comment Period within which to accept questions and Comments from February 26, 2024, and March 29, 2024, with the Bidder's Conference conducted during the Comment Period. This schedule afforded Bidders the opportunity to both use the Comment feature on the IE Website to anonymously submit comments, but also seek clarification during the Bidders' Conference, and then provide comments based on the Bidders' Conference experience. The IE understands this rule to permit Bidders to submit Comments, as opposed to making Comments mandatory, and that all interested parties would adhere to the same procedural schedule.

Potential Bidders and interested persons were invited to participate in a Bidders' Conference Webinar during which they could ask questions regarding the RFP. In addition, they were encouraged to post anonymous questions, via the Q&A feature available on the Website, and Bidders were provided the opportunity to submit comments via the Website Comment feature for the purpose of suggesting changes to the Draft RFP Documents. As previously noted in this report, each question or Comment was reviewed by the Evaluation Team, Staff, and the IE before being posted on the IE Website. A number of potential Bidders availed themselves of these opportunities. A more detailed discussion of Comments can be found in the "b. Comments" Section that follows.

### a. Bidders Conference

On February 26, 2024 the Company announced via the IE Website a Bidders' Conference would be held virtually on March 4, 2024. Registration for the Bidders' Conference was available on the IE Website and all individuals who registered received Microsoft Teams call-in directions ahead of the webinar via email.

The Bidders' Conference reviewed the RFP including:

- The role of the GPSC Staff and the IE
- Standards of Conduct
- RFP Timeline
- RFP Overview
- Technology Specifications
- Qualifying Facilities
- Submission and Evaluation Process
- APA and BTA Due Diligence
- Transmission and Environmental Considerations

61 individuals registered to attend the Bidders' Conference Webinar. Bidders were given an opportunity to ask questions during the Bidders' Conference. Bidders asked a total of seven (7) questions, all of which were answered by the Evaluation Team and reviewed by the IE and Staff. The questions and written responses, as well as the presentation slides and a recording of the webinar, were posted on the 2029-2031 Capacity RFP Website. Bidders were advised that the written responses were to be used when preparing Bids.

The IE believes that providing potential Bidders with these opportunities to understand the RFP terms and conditions, when combined with the 24x7 access to ask questions via the RFP Website, provided Bidders with ample opportunities to fully appreciate what was being sought in the solicitation.

### b. Comments

An opportunity was provided for prospective Bidders to propose changes to Draft RFP and pro-forma contracts by providing Comments which were to be reviewed by the GPC Evaluation Team, IE, and Staff. The identity of the source of Comments was not to be shared with other Bidders. Not all RFP documents were available for Comments at the same time. In order to not delay the solicitation, the RFP and PPA were made available for an initial Comment period with a second Comment Period offered to provide input on the draft BTA and APA. An announcement was posted on the RFP Website on February 26, 2024 detailing the Comments opportunity:

***2/26/2024 2:46 PM***

*The draft All-Source Capacity Request for Proposals (RFP) for 2029–2031 is now available for review under the “Documents” tab of the Independent Evaluator (IE) website. In addition, the pro forma PPA documents will be posted on the IE website on Friday, March 1, 2024. Interested parties are invited to comment on the RFP and pro forma PPA documents to assist Georgia Power with finalizing the terms and conditions. Please note, once the RFP documents are approved by the Georgia Public Service Commission, the terms and conditions of the RFP and pro forma PPA documents will be final, and no substantive changes will be permitted.*

*The Comment Period will remain open until 12:00 PM ET on Friday, March 22, 2024.*

The Pro-forma PPA documents were posted on March 8, and the deadline for providing comments in the initial comment period was extended to March 29, 2024. On May 1, 2024, an announcement was posted on the IE Website notifying the bidding community of the second comment period:

**5/1/2024 9:43 AM**

*In consultation with Commission Staff and the IE, GPC will be providing pro forma APA and BTA documents prior to filing for Commission approval of the All-Source Capacity RFP and supporting documents. A revised RFP Solicitation Schedule has been posted on the IE Website to reflect new dates providing for a BTA and APA Comment Period and extending the RFP Issuance Date. The pro forma BTA and APA documents will be posted on the IE Website and BTA and APA Comment Period will run from May 10, 2024 until May 20, 2024 at 12:00 PM eastern. A subsequent announcement will be posted on the IE Website as soon as the documents are available to the market. GPC encourages bidders and interested parties to review the revised Solicitation Schedule.*

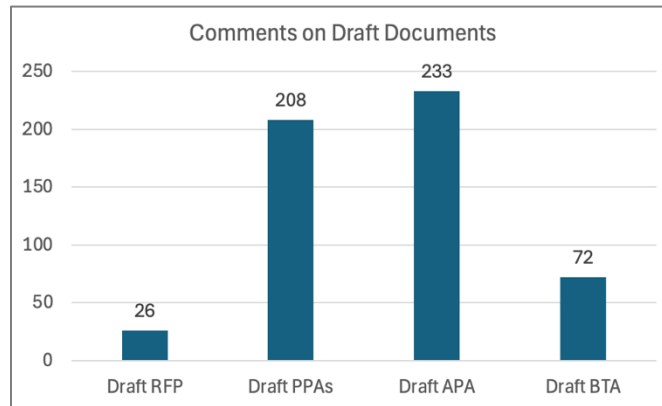
*Additional RFP Solicitation Schedule updates after the Bid Due Date will be communicated when GPC files for Commission approval of RFP documents on May 23, 2024.*

A total of 539 Comments were received and processed. This included 26 comments on the Draft RFP, 208 on the different pro-forma PPA documents, 233 on the draft pro-forma APA, and 72 for the draft pro-forma BTA. While this response was prolific, the total number of users submitting Comments was relatively low with only nine users choosing to submit Comments. While the initial Comment period drew input from eight users, the draft pro-forma APA drew comments from only two users, and all comments on the draft pro-forma BTA were submitted by one user. Figures 7 and 8 show the participation in the Comments process. The IE believes the Comment process was worthwhile and the resulting documents were improved in clarity.

**Figure 7**

<b>Document Name</b>	<b>Number of Comments Received</b>	<b>Number of Participants</b>	<b>Percent</b>
Draft RFP	26	5	4.8%
Draft PPAs – ESS with Renewable and Standalone	83	4	15.4%
Draft PPAs – CC-CT	125	3	23.2%
Draft APA	233	2	43.2%
Draft BTA	72	1	13.4%
<b>Total</b>	<b>539</b>	<b>9</b>	<b>100</b>

**Figure 8**



## VII. BID RECEIPT

The Bid Form was released on the RFP Website for Bidders to complete on June 20, 2024 with COP and Affiliate Bids due July 18, 2024 and all other Bids due by July 19, 2024. Bidders were notified several times in advance of the Bid due date of the upcoming deadline via email notice.

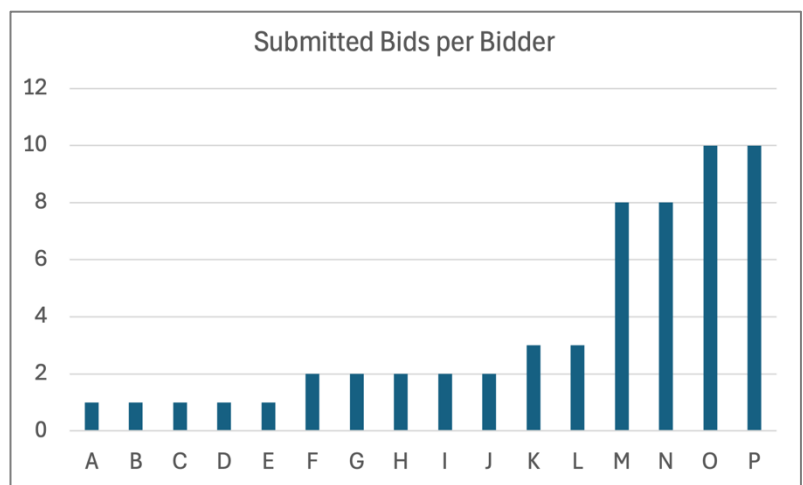
During the Bidding window, GPC in coordination with the Staff and IE decided to extend the due date for some APA Due Diligence checklist items. Accordingly, while all pricing submitted by the bid submission date remained unchanged prior to the refresh process in July 2025, some documentation

were established as due on a later date of August 9, 2024, with COP and affiliate date due on August 8, 2024.

Following the Bid deadline, there were a total of 57 Bids submitted by 17 Bidders. The greatest number of Bids submitted by a single Bidder was ten (10), and the average (median) number of Bids submitted per Bidder was two (2). Figure 9 shows the number of Bids submitted by Bidder using blinded Bidder identifications.

In addition to the Bids submitted, there were 31 Bids which were not submitted. Bidders left 10 Bids pending and chose not to submit those proposals and started then deleted twenty-one (21) Bids.

**Figure 9**



## VIII. BID FEES; BID SECURITY; DUE DILIGENCE FEES; WINNER'S FEES

### A. BID FEES

To help defray the cost of performing evaluation of Bids, and the cost of retaining the IE, a Bid Fee was required of each Bidder for each bid submitted for consideration in the RFP. As defined in the RFP:

***Bid Fee:** The non-refundable \$20,000 fee Bidder must submit with each Bid to defray costs of the RFP Process.*

Each Bidder was required to submit with each Bid a non-refundable fee of twenty thousand dollars (\$20,000) (“Bid Fee”), with the first ten thousand dollars (\$10,000) of each Bid Fee used to defray a portion of the IE cost. Bid Fees were paid electronically following the instructions provided in the RFP and specific wiring instructions provided to Bidders who submitted Bids.

The RFP allowed Bidders the option to submit multiple Bids for one Bid Fee. The options and details were clearly identified and explained in the RFP Final Documents in section 7.4.3 Alternative Bids; Multiple Submissions; Bid Fees:

*If Bidder submits separate Bids that vary regarding certain critical parameters, including contract type, the Site, output, electrical characteristics, or technology (e.g., gas-fired CC and simple cycle CT facilities, cogeneration, primary fuel, ESS duration), Bidder will be required to pay the Bid Fee (\$20,000.00) for each Bid. However, PPA Bids submitted by one Bidder for the same Site, same generation technology, and same size that offer options in the fuel plan or fixed cost components will be considered a single Bid. In addition, Bids for the same Site containing options in the number of generating units offered will be considered a single Bid if the generation technology is the same and the operational parameters and variable pricing are the same in all Bids. PPA Bids for 5-, 10-, 15-, 20-, 25-, or 30-year Terms with all performance and variable pricing characteristics remaining the same will be considered one Bid. A maximum of three (3) options will be accepted as a single Bid covered under one Bid Fee.<sup>9</sup>*

## **B. BID SECURITY AND PERFORMANCE SECURITY**

Any Bidder with a Bid selected for the Competitive Tier was required to post a Bid Security within fifteen (15) Business Days. As defined in the RFP:

***Bid Security:** Security provided by Bidder for each Bid that advances to the Competitive Tier in the form of: (i) cash; (ii) Surety Bond; or (iii) a Letter of Credit, in the amount required by Section 4.8 (Bid Security).*

The IE believes this process is a successful tool in having only serious Bids considered as part of the Competitive Tier. Bidders could decline to post Bid Security, and have the associated Bid removed from consideration, but once the Bid Security was posted, Bidders were committed to keep their Bid(s) available through the final evaluation, and if selected for contracted, were committed to execute a contract or forfeit the bond.

The Bid Security had to be posted within 15 Business Days and was required to be: “equal the product of either: (i) 2% multiplied by the sum of the expected revenues during the PPA Term; or (ii) 2% of the purchase price for an APA or BTA Bid.”<sup>10</sup>

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<sup>9</sup> RFP at 37

<sup>10</sup> RFP at 31

Each Bidder with a Bid selected for the Competitive Tier that intended to provide a Bid Bond in the form of a Surety Bond or a Letter of Credit was required to upload to its Bid Book a draft (unissued) Surety Bond or Letter of Credit for review and approval by the Evaluation Team, at least 10 Business Days before the Bid Security due date. Acceptable Surety Bond and Letter of Credit Forms were available on the IE Website, along with instructions for posting the draft and final Bid Security in any form.

The Bid Security was fully refundable to the Bidder if such Bid was placed on the Release List, or on the date Seller and Georgia Power executed the awarded contract for a winning Bid. If the Bid Security was in the form of cash or a Letter of Credit, the Bidder could opt to convert the Bid Bond to the required Performance Security at the time of contract execution. Alternatively, pursuant to the RFP the Bidder could replace the Bid Bond with another acceptable form of Performance Security.

The Bid Security was non-refundable if a Bidder withdrew its Bid or otherwise failed to execute the pro-forma PPA, BTA, or APA after being selected for the Competitive Tier. No Bidder forfeited the Bid Bond instead of remaining in the process through completion.

Pursuant to the RFP, Performance Security was required Bidders with winning Bid(s) for the term of the contract. Performance Security was calculated based on contract value, structure, and creditworthiness of the Bidder. This security was to protect ratepayers in the event of default after a contract is signed.

### **C. DUE DILIGENCE FEES**

APA and BTA Bids were required to pay additional Due Diligence Fees throughout evaluation “to partially offset the cost of screening and assessments of an asset purchase.”<sup>11</sup> Due Diligence Fees were due by Bidders at different phases throughout evaluation, ensuring only Bids continuing in the evaluation process paid additional Fees.

#### **1. Phase One Due Diligence Fee**

The Phase One Due Diligence Fees were due at the time of Bidding on July 19, 2024. Each BTA or APA Bid was required to pay a Phase One payment of \$50,000 at this time in accordance with the RFP. Phase One consisted of a preliminary review of the Bids including a ‘fatal flaw assessment’ of each project. Exhibit A of the RFP outlined the information to be reviewed in Phase One. Any money not used in Phase One would be either refunded to the Bidder, or credited towards the Phase Two Due Diligence.

Four Phase One Due Diligence Fees were paid by four unique Bidders for APA and BTA Bids. Two Bidders received a refund of their Phase One Fee after withdrawing their Bids in November 2024.

#### **2. Phase Two Due Diligence Fee**

Bids which passed through the Phase One Due Diligence and advanced to the Competitive Tier were required to pay the next phase of Due Diligence Fees. Phase Two Due Diligence Fees were split into two payments; the first payment of \$400,000 was required no later than fifteen (15) Business Days after advancing to the Competitive Tier. If that amount was found to be insufficient to complete the Phase Two Due Diligence review, the second fee of an additional \$400,000 could be requested no later than 10 Business Days before the deadline for Bid Refresh. In the All-Source Capacity RFP, the first payment was due on November 7, 2024, and the second

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<sup>11</sup> RFP at 30

was due on January 28, 2025. As with the Phase One payments, any unused funds would be either refunded to the Bidder or credited to the Phase Three Due Diligence Fees.

Two APA Bids were advanced to the Competitive Tier and paid the required Due Diligence Fees in November, 2024. The second payment of Due Diligence Fees was not requested by GPC to complete the Due Diligence evaluation. One Bidder paid the additional Phase Two fee proactively and was refunded their \$400,000 second payment.<sup>12</sup> Both Bids received refunds on their Phase Two Due Diligence fees in June, 2025.

### 3. Phase Three Due Diligence Fee

The third and final Due Diligence Fee was due on May 23, 2025. No APA or BTA Bids were still under consideration at that time, so additional Due Diligence Fees were not needed.

## **D. WINNERS FEE'S**

A portion of each Bid Fee was earmarked to offset IE costs and a portion of the costs to administer the RFP. The remainder of the cost of the IE was covered by a "Winners' Fee" assessed upon the winning bid(s) defined in the RFP as:

***Bid Fee:** The fee assessed for each winning Bid to cover the IE cost and a portion of the costs to administer this All-Source RFP.*

The Winner's Fee was determined once the final amount of all Bid Fees, Due Diligence Fees, and IE costs were reconciled. The remainder of the Winner's Fee could not exceed one million dollars (\$1,000,000). In the case of multiple winning bids, the Winner's Fee was to be allocated to winning bidder(s) on a "(i) a MW-PPA Term basis for PPA(s); (ii) a MW-estimated-remaining-life basis for APA(s); (iii) and a MW-Facility Design Life basis for BTAs and Company-Owned Proposals."<sup>13</sup> The Winner's Fee will be paid by wire transfer to the Georgia Power Company. The final Winner's Fee was not yet determined as of the date of this report as it will be assessed against those winning submissions which are certified by the Commission.

## **IX. EVALUATION PROCESS**

### **A. RFP BID DATA REQUESTED**

The All-Source Capacity RFP requested Bids from existing or new capacity resources and included gas, storage, and storage paired with renewable projects. Projects could be bid as Purchase Power Agreements (PPAs), Asset Purchase Agreements (APA), Build Transfer Agreement (BTA), and Company Owned Proposals (COP). APA and BTA Bids were to be evaluated alongside PPAs and COP offers. PPAs were allowed to be bid at 5-, 10-, 15-, 20-, 25-, and 30-year terms. The RFP designated that the Bid must be fully dispatchable and available to meet GPC's scheduling instructions. The proposed resource must also be capable of operating on Automatic Generation Control ("AGC").

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<sup>12</sup> The Phase Two fees were received directed by GPC, not the IE and the IE relies on GPC's representation that the refund occurred.

<sup>13</sup> RFP at 31

The bid form on the IE Website required details regarding price and other information about the project. The following items summarize at a high level the information sought through the bid form materials but does not include all items in the bid form.

- For new facilities, a construction schedule with all major activities
- Status of Interconnection Agreement
- Facility information including project name, location, generating capacity, interconnection limit, site plan, site control affidavit and specific technical information
- For energy storage resources: facility size, storage design, duration, cycle limits, guaranteed round-trip efficiency, renewable resource size (if applicable)
- For thermal generation: facility size, heat rate, fuel plan, startup – fuel, variable O&M, startup charge
- Single Line drawings of the facility
- Interconnection Data
- Economic development factors of the project including job creation, capital investment
- Qualifications including development experience
- Financial and credit information

Bid Pricing Information including PPA term selection, escalation, etc.

## **B. EVALUATION MILESTONE SCHEDULE**

Below is the milestone schedule of the Evaluation Process. The following sections describe each of these milestones and key attributes of the evaluation process.

- **July 2024 - Evaluation Model Locked Down with Mock Bid Analysis**
- **August 2024 – Price Only Report after IE completes initial review of submissions**
- **August 2024 – Bid books released to IE, PSC Staff, and GPC for Evaluation**
- **October 2024 – Confirming List Determination**
- **December 2024 – Conforming List Ranking (B2025)**
- **January 2025 – Bid Refresh**
- **March 2025 – Competitive Teir**
- **May 2025 – Short List**
- **Evaluation Method Review**

## **C. EVALUATION MODEL LOCKED DOWN WITH MOCK BID ANALYSIS**

In the summer of 2024, the IE reviewed the evaluation framework designed by the Companies set forth in the RFP Documents. The IE conducted meetings with GPC and the GPSC Staff to allow GPC to present the methodology and models. The groups collaborated to agree on key assumptions and lock down the model.

The evaluation compares net total costs of different capacity offers across PPAs, APAs, BTAs, and Company-owned proposals. This was done by calculating the net present value of generation and transmission aspects over the life of the asset in \$/kW of capacity contribution. The generation cost is comprised of both the

fixed cost associated with the proposal and the variable cost associated with the operational parameters of the proposal, which is used in production cost modeling simulations.

Fixed costs are comprised of the capacity payment for PPA bids, purchase price for APAs, or the in-service costs for Company-owned proposals. Fixed costs include fixed fuel transportation and fixed startup costs where applicable. Finally, the costs associated with PPA treatment as either an Operating Lease or a Financial Lease, if applicable, are also included as fixed costs as discussed in detail in Attachment H of the RFP.

Variable costs include fuel cost, variable O&M, emission costs, or any grid charging costs for storage proposals. These costs are captured in a system production cost simulation and are compared across each Bid to understand the system benefit of each Bid. The modeling framework was locked down with GPC B2024 assumptions with an agreement to update to B2025 when those assumptions were finalized later in 2024. To do this, mock Bids were performed twice, once with B2024 assumptions and once with B2025 assumptions when they were available. The B2024 and B2025 assumptions represent load forecasts, gas forecasts, and retirement assumptions. The variable costs component was analyzed under four distinct scenarios for the final evaluation using B2025 assumptions for the final evaluation:

1. Mid Gas \$0 Carbon Forecast
2. High Gas \$0 Carbon Forecast
3. Mid Gas \$50 Carbon Forecast
4. Mid Gas \$0 Carbon Forecast EPA 111 Assumptions

The production cost results were averaged across the four scenarios. Due to PPA term differences and online dates, a filler assumption was included to ensure Bids were evaluated over the same period. The filler assumption was modeled as the lowest cost resource for each of the scenarios which included a combustion turbine ("CT"), combined cycle ("CC"), or storage option. This was determined as part of the evaluation process.

From an effective load carrying capability ("ELCC") perspective, the Company incorporated dynamic ELCC logic to adjust based on project rankings. Because the ELCC of resources changes based on the penetration of a resource class selected, this provided more accurate results. All ELCC values were agreed upon by the Company, GPSC Staff, and the IE. For production costing, the Company's Aurora model was utilized which allows each Bid to be modeled in detail to assess the production cost benefits of the particular resource.

Finally, transmission costs required for each project were determined as part of the evaluation. The transmission evaluation is discussed in more detail in the Transmission Section of the Report.

#### **D. NON PRICE EVALUATION**

As laid out in the RFP, the Company maintained the right to consider non-price attributes when selecting the winning portfolio of proposals. These were listed as the following:

##### Bidder Qualifications and Portfolio Considerations

- Financial strength and credit rating of the bidder's company and Seller Guarantor, if applicable
- Technical competence (development and operational experience)

- Portfolio and technology diversity
- Remaining useful life of existing Facility

#### Schedule for Development of New Resources

- Reasonableness
- Contingencies
- Current developmental status of the project
- Status of necessary elements (*e.g.*, leases/options for land)

#### Resource Attributes (as applicable)

- Lead time for dispatch schedules
- Ability to change schedules daily/hourly
- Ability to quick start or curtail
- Minimum schedule and downtime
- Minimum operating level
- Dispatchability characteristics
- AGC capability
- Blackstart capability
- Location of facility

#### Fuel and Energy

- Tolling agreement and fuel contract assignability
- Type of fuel
- Risk of fuel supply interruption
- Fuel price risk
- Fuel oil storage and replenishment capabilities
- Deficiency in fuel oil operation permit hours
- Energy storage replenishment capabilities

#### Environmental Impact

- Particulate and air emissions
- Environmental compliance strategy
- Toxic release inventory emissions in the region
- Future permitting restrictions in the region for other industrial development
- Water requirements
- Endangered species mitigation
- Land use and wildfire impacts

#### Transmission

- Impact on transmission interface capability
- Transmission delivery risk

#### Other

- Certified Diverse Supplier Certificate
- Awards received
- Economic development potential of Facility
- Start date of the project

#### **E. MOCK BIDS**

Once the evaluation methodology was reviewed by the IE and GPSC Staff, the Company conducted a mock Bid analysis using the agreed upon evaluation framework. The Aurora production cost files, the evaluation model, and additional documentation surrounding ELCC assumptions, renewable integration, financial and calculations surrounding PPA financial lease and operating lease treatment were uploaded to the RFP website. The mock Bid analysis included 21 Bids consisting of PPAs and company ownership options. There were 18 PPAs and 3 company ownership options provided in the full mock Bid process. The technologies evaluated included combustion turbines, combined cycles, storage resources, and storage paired with renewable resources. The IE and Staff reviewed the evaluation and agreed with the modeling. This process locked down the evaluation model with the exception that B2025 assumptions would be incorporated when the data was available. As stated previously, the IE, Staff, and the Company agreed that the mock Bids would be simulated again in the evaluation methodology with those assumptions. This would provide the IE and Staff the opportunity to review the mock Bid analysis with the changes. This second mock Bid analysis took place just before the initial conforming ranking list was determined.

#### **F. PRICE ONLY REPORT**

The price only report was developed by the IE in conjunction with Staff and categorized Bids by technology and Bid type. For PPA Bid types, a table was developed for thermal resources, and a table was developed for storage and storage paired resources. The Bids were simply ranked by PPA capacity price and Bidders were not revealed. There were 16 thermal PPA offers and 11 storage and storage paired PPA offers. For APA/BTA/COP Bid types, the Bids were also split by technology: (1) thermal, and (2) storage and storage paired resources. These were ranked by purchase price with no indication of the Bidder name. There were 13 ownership offers that were thermal resources and 14 ownership offers that were storage and storage paired resources. In total, the offers resulted in 54 offers representing 29 unique sites.

After the price only report was complete, the Bid books were released to the IE, GPSC Staff, and GPC to begin the initial evaluation. As part of this evaluation and post-Bid security, the conforming list was determined in September of 2024. It resulted in 33 total offers remaining from 17 unique sites. It represented 9,241.75 MW of exclusive summer capacity.

#### **G. CONFORMING LIST**

An evaluation was performed on the remaining conforming Bid list using B2025 assumptions. This ranking was produced in order to notify Bidders where they stood in the ranking for the upcoming Bid refresh. See Confidential Appendix A - Table CA1 for the conforming list ranking.

## **H. PRICE REFRESH**

All remaining Bidders were allowed to reprice their offers in January, 2025. In addition, in February, Bidders were also given the opportunity to move their commercial operation date (“COD”) forward. No preference was applied to revised COD dates, and Bidders were not required to propose an alternate COD. In light of the capacity needs of the Company, the decision to request to see if Bids could be moved forward as an alternate option was a reasonable decision and agreed upon by the IE, GPSC Staff, and the Company.

## **I. COMPETITIVE TIER**

After the refresh was completed, the evaluation was performed again incorporating the new data but using the same evaluation framework and B2025 assumptions. Projects were simulated with both original and alternate COD dates provided by Bidders. All unique projects were moved to the Competitive Tier ranking given the capacity needs of the Company. Two APA Bids were dismissed, but the alternative PPAs provided for the project were maintained on the Competitive Tier. The Competitive Tier evaluation excluded transmission costs, which was included for the final short list and discussed in the next section. See Confidential Appendix A - Table CA2 for the Competitive Tier ranking which included a total 9,596 MW of winter ELCC capacity.

## **J. SHORT LIST**

The final shortlist analysis included the projects in the Competitive Tier with the addition of transmission costs. Again, given GPC’s capacity needs, all projects were considered to fill the capacity need. Two portfolios were developed by GPC with the only distinction being the decision around location and timing of the Company-owned CC options. GPC determined that only five Company-owned CCs were needed on the short list to meet the Company’s projected capacity needs. One portfolio included two CCs online by the end of 2029, while the other portfolio only had one CC available to come online by 2029 based on the proposed construction activities at the different sites. Due to capacity needs, the IE, GPSC Staff, and the Company agreed on the portfolio that allowed the capacity to come online earlier even though it was more expensive. Confidential Appendix A - Tables CA3 and CA4 show those portfolios and associated costs. The total recommended portfolio includes 18 projects representing 8,256 MW of winter capacity equating to 8,036 MW of winter ELCC capacity. It represents nine standalone storage projects (2,763 MW), two storage plus solar projects (350 MW), and seven gas projects (5,143 MW).

## **X. APA BTA AND COP BID EVALUATION**

### **A. OVERVIEW**

The Final Approved All-Source Capacity RFP and the Georgia Power Company’s 2022 IRP identified a need for additional Capacity Resources. On July 21, 2022, the Commission issued the Final Order concerning the 2022 IRP. The 2022 IRP Final Order amended and approved the Stipulation that requires GPC to conduct an all-source solicitation to address capacity needs identified by GPC.

The RFP was open to Bids for acquisition (“Asset Purchase Acquisition” or “APA”) by GPC of units already in commercial operation or a new capacity resource to be constructed (“Build Transfer Agreement” or “BTA”). The RFP also allowed for the Company to submit one or more of its’ own proposals (“Company Owned Proposals” or

“COP”) to meet some or all of the identified needs. The IE was an active participant in the review of the APA, BTA, and COP Bids in the All-Source RFP to ensure a fair and equitable evaluation of these Bids.

## **B. APA DUE DILIGENCE**

Review of APA Bids was conducted in two phases. Phase 1 due diligence consisted of a “fatal flaw assessment” to determine if there were any significant issues with any APA Bid that would adversely affect the value of the asset. As described in Exhibit A of the RFP, the APA Phase 1 due diligence included:

- Technical and engineering review of the APA Due Diligence Checklist, accompanying documents and review of major equipment and balance of plant components.
- Review of the independent engineering report.
- Site design and engineering review.
- Review of Bidder-identified due-diligence topics.

Phase 2 of due diligence was a “deeper dive” on APA projects with an in-depth review of the supporting data behind the reports. Specifically, the due diligence review focused on the following three areas of information: Mechanical, Electrical, and Network. This report evaluates information provided by two APA bidders operating assets.

In order to establish that all projects that might be acquired by GPC could meet the standards for reliability to meet system needs, all APA proposals were reviewed to determine whether they were consistent with the major components set forth in the Minimum Technical Requirements (“MTRs”). The IE and Staff ensured that APA Bids were evaluated through a robust technical due diligence process. Staff and the IE insisted that Bidders be advised of the technical requirements well in advance of the bid submission date so there would be no question of whether all participants – COP, affiliate, and non-affiliate alike – would be held to the same standard. The IE reviewed the MTRs for BESS and thermal projects prior to them being posted on the IE Website and found them to be appropriate. Persons requesting access to the MTRs were required to execute a Non-Disclosure Agreement (“NDA”) prior to being permitted to enter the confidential documents folder. The IE vetted each NDA application to confirm that the request came from a legitimate developer.

The same standard of review was applied to COP proposals. There are hundreds of details in the MTRs, but there are major components that must be included, and that list is far shorter. After consulting with the Staff, the IE established a list of major components and conducted the due diligence review of conformity to the MTRs for the third-party Bids and found that all of the third-party Bids were conforming. Due to concerns about the potential for an inference of bias with the Evaluation Team reviewing the proposals from the COP team, GPC retained the services of the consulting firms E3 and Natural Power to perform the due diligence review of COP proposals.

Scheduled weekly update meetings were held during the bid evaluation process to review the evaluation process and identify issues to be addressed. The IE, GPC, E3 Consulting, and Natural Power met weekly to report and provide an update on the status of their specific areas of responsibility during the bid evaluations.

### **C. BTA REVIEW**

For the BESS (Battery Energy Storage System), the IE reviewed the BTA BESS MTR (340 pp.) detailed specification to create a (Primary) Major Equipment Checklist and a (Secondary) Checklist of components. As noted, GPC retained a third-party firm to review the BESS MTRs conformity for the COP proposals to confirm they were consistent with GPC's BTA MTRs.

The IE attended the scheduled bi-weekly meetings. With the input provided from GPC and Natural Power Consultants, the firm retained by GPC to review MTR conformity of COP BESS proposals, the BESS MTR checklist was expanded to include: (Primary) Major Equipment for BESS; (Primary) Q&A log data requests; Secondary BTA BESS MTR; (Secondary) Q&A log data requests; Notes for Secondary; and project summary tabs. This checklist was used to track and update the BTA BESS MTR evaluations.

Working with Staff and GPC, the IE developed a checklist for review of the BTA and BESS for MTR conformity. These lists were instructive and effective in the Bid evaluations as the MTR entries were extensive. E3 Consulting and Natural Power Consultants were experienced in the design of projects. The Consultants reviewed the MTRs in their entirety. The consultants were very effective in exposing flaws and conflicts in the MTRs. They provided the level of detail and suggestions for changes required to develop a detailed and comprehensive checklist. The checklists were effective in this COP evaluation process and can be utilized in subsequent evaluations.

### **D. COP REVIEW**

The IE recognized the requirement to create a comprehensive checklist document which would be used to track, edit, and update Bids throughout the evaluation process for the COPs. The rationale is to ensure the COP project is viable and is consistent with GPC's BTA MTRs.

To that end, the IE provided a template (spreadsheet) for CC Bid evaluations. The IE reviewed the BTA CC MTR (816 pp.) detailed specification document to develop a (Primary) Major Equipment list and a (Secondary) Checklist of components.

The IE attended scheduled weekly meetings. With input from the GPC and E3 Consulting, the BTA CC MTR checklist was further expanded to be more comprehensive and complete. This spreadsheet included Index of EPC, (Primary) Major Equipment for CC, (Secondary) CC MTR, and Bid Submission Forms tabs. This checklist was reviewed and updated weekly to track the progress of the CC bid evaluations.

## **XI. TRANSMISSION EVALUATION**

The Evaluation Team's transmission planning members evaluated each of the Bids in the Competitive Tier to determine incremental costs resulting from both interconnection and transmission delivery of the project brought to the transmission grid. Accion reviewed, in detail, the studies and associated costs allocated to each Bid.

## A. INTRODUCTION AND SUMMARY

This transmission analysis followed the traditional path that has been established in previous analysis efforts for earlier RFPs. Nineteen Bids were evaluated from the Competitive Tier, and eighteen Bids were selected for the Short List, four of these Bids for existing projects which did not require any cost evaluation for transmission interconnection as they were already connected and operating. Four of the nineteen Bids were submitted by non-affiliate Bidders with the remaining fifteen Bids submitted by Georgia Power or affiliate Bidders. The driving purpose of this RFP was to obtain as much additional generation capacity as could be connected to the Georgia Power transmission system within the available required commercial operating date timetable. An analysis of each Bid was completed to determine which Bids could be successful.

The Bids were divided into two portfolios: 16 Bids were included in both portfolios with only three Bids residing in only one of the two portfolios. Four of the Bids were for existing projects, with the remaining 15 being in both portfolios. The result was that there were 17 Bids in Portfolio 1 and 18 Bids in Portfolio 2.

## B. STANDARD TRANSMISSION EVALUATION

The standard evaluation approach and documentation was used in the Bid evaluation process. This approach and documentation has been successfully used in many previous evaluations. This section of the report will review the steps of this Bid evaluation process.

### **Base Case Determination**

The Southern Company Transmission Analysis Team used an update 2025 version 1 base case for the All-Source RFP analysis. This is the same base case as is used as the basis for project planning for the Southern Company system.

### **Bid Cost Analysis**

The established analysis approach of using load flow analysis to determine system impacts and then determining the cost of overcoming these impacts through the addition of system upgrades was followed in this RFP analysis. The cost of the upgrades was based upon the selection of the standard unit costs for the necessary system components. The interconnection and delivery costs were known, documented and sent to the Evaluation Team before any bid selection decisions were made. The interconnection and delivery costs are shown in Confidential Exhibit A.

### **Advanced Commercial Operating Data Analysis**

To best respond to the need for generation, a request was made to all Bidders as to whether they could advance the commercial operating date for their bid project. Table 1 in the Confidential Exhibit B lists all of the Bid projects that responded positively to the request for advancement. Table 2 in the same confidential exhibit shows which Bids submitted advanced CODs. After this data was produced by the Transmission Team, the decision was made not to pursue the advancement of any of these projects.

### **Portfolio Determination**

The 19 Short List Bids were divided into two Portfolios. Portfolio 1 contained 17 Bids representing 8,017 MWs and Portfolio 2 contained 18 Bids representing 7,982 MWs of winter capacity (See Confidential Exhibits C and D). All except three Bids were included in both Portfolios, of those three, one Bid was in Portfolio 1 and two

Bids were in Portfolio 2. The two Portfolios contained all of the Bids that could be brought on-line within the required commercial operating date, without regard for their transmission interconnection and delivery costs. Likely GPC would have preferred to have all 19 projects included in one Portfolio, then all of the Bids could have been selected, however that was not possible due to COD constraints.

### **Portfolio Cost Analysis**

The established Portfolio evaluation process was used for this RFP. The Portfolios were evaluated separately with the results completely documented. An extensive report was assembled for each Portfolio showing:

- Point of Interconnection for each Bid in this Portfolio
- Facility Type for each Bid in this Portfolio
- Firm capacity in megawatts for each Bid in this Portfolio
- Expected commercial operating date for each Bid in this Portfolio
- Earliest feasible commercial operating date for each Bid in this Portfolio
- Earliest firm transmission date for each Bid in this Portfolio
- Study Conclusions for this Portfolio
- Map showing interconnection location for each Bid in this Portfolio
- Load flow study structure and assumptions
- Local area system load impacts for each constraint showing contingencies
- Stability inputs
- Short – Circuit impacts
- Grounding impacts
- Estimated interconnection costs and construction times of improvement or modification beyond the point of interconnection for each Bid in the Portfolio
- Cost estimation for projects beyond the change of ownership for each Bid in Portfolio

The transmission analysis results for each of the two Portfolios was documented in a similar manner, these documents are included as Confidential Exhibits C and D. A more succinct listing of the required system upgrade projects for both Portfolios is provided in Confidential Exhibit E. This document lists all of the required interconnection projects that are required to connect the 15 new projects in both Portfolios.

The selected Portfolio was #2, which had higher transmission costs than Portfolio #1, however, Portfolio #2 was designed to be in commercial operation about one year earlier. The other important aspect of Portfolio #2 is that it contains extensive 500 kV upgrades, which will be needed in the future. Quantification of the transmission interconnection cost differences between the two Portfolios is provided in Confidential Exhibit F.

### **Treatment of Affiliate and Non-Affiliate Bidders**

One objective of the Independent Evaluator is the ensure that all Bidders are treated fairly and equitably. It was of concern that only four of the nineteen Bids that made it to the Short List were from non-affiliate or

Company Bidders, with the vast majority of Bidders being affiliated with Georgia Power Company. As a verification step toward insuring that all Bidders were treated equitably, the IE investigated the cause for elimination for all of the non – affiliate Bidders that were not on the Short List. This investigation revealed that the affiliate and COP Bidders did not receive preferential treatment and that non-affiliate Bidders were treated fairly. Confidential Exhibit G provide detail on the treatment of each Bidder.

## **C. TRANSMISSION ANALYSIS RESULTS VERIFICATION**

### **Standard Unit Cost Verification**

The reality that Bids were selected on the basis of ability to operate within the required commercial operating date made the verification of the standard unit costs less important. Therefore, less effort was expended by the IE and by the Transmission Team. It is still of value to acknowledge which units were most used and which units contributed most to the cost basis of the Portfolios. Confidential Exhibit H contains a request sent to the Transmission Team for the verification of the standard units utilized and the costs incurred for selected standard units. This exhibit also shows the team responses (in blue) to the IE verification request.

Going forward this data should be used to help focus the verification efforts on the standard unit that have the most impact on overall transmission interconnection costs. Also of importance is the determination of an appropriate cost escalation factor. Transmission equipment pricing has recently been escalating at a much higher rate.

The Transmission Team was not able to obtain reliable cost estimates for the 500 kV construction that was utilized in Portfolio 2. There was very little cost data for completed 500 kV projects. Additional effort should be applied to improving these costs estimates as they will become more and more important in the future. Confidential Exhibit I shows the 500kV project data that was available.

### **Transmission Analysis Verification**

The Transmission Analysis Verification included three critical pieces: Commercial Operating Date Verification, Verification of Projects Necessary to Connect, and Verification of Standard Unit Costs.

#### **i. Commercial Operating Date Verification**

Extra transmission team effort was expended on determining the accuracy of the commercial operating dates of the projects in the Short List. As discussed earlier, an effort was pursued and rejected to advance project CODs so that generation could be added to the system earlier. The selection of the preferred portfolio, at the originally proposed CODs, was nonetheless based upon the ability of the projects within that portfolio to be connected to the system in an earlier timeframe. Thus, interconnection timing verification becomes a more important aspect of the Bid selection process. The IE requested that the Transmission Team clarify their effort to verify interconnection timing. Confidential Exhibit J, provided by the Transmission Team explains the effort by the team to produce accurate interconnection data.

During the recently completed analysis for the CARES 2023 RFP, it was deemed necessary to accept Bids that did not have a firm contract transmission path. The inclusion of non-firm generation poses difficulties in scheduling generation output. Part of the IE verification request was to describe the efforts going forward that would address this problem. The second paragraph in Confidential Exhibit J was prepared by the team to discuss this situation.

ii. Verification of Projects Necessary to Connect

The IE requested an in-depth look at how projects were selected to meet the interconnection requirements. Project detail was supplied by the team that listed the components needed. The IE reviewed this data and completed a spot check that determined that these components were appropriate to meet the connection needs and were consistent with projects that had been selected in similar situations during the transmission analysis for previous procurements. Confidential Exhibit C lists the projects necessary to connect the bids in Portfolio 1 and Confidential Exhibit D lists the projects necessary to connect the bids in Portfolio 2. A detailed list of interconnection projects and the related cost is provided in Confidential Exhibit O.

i. Verification of Standard Unit Costs

The accuracy of the standard unit costs is critical to assuring accurate pricing of the projects considered in the evaluation of Bids. The IE reviewed the most used standard units and made information requests of the transmission team to clarify this data. Confidential Exhibit H shows the questions that the IE asked and the answers provided by the team.

#### **D. COMMUNICATION WITH BIDDERS**

All Bidders communicated exclusively through the IE website. Neither the transmission team nor the IE transmission personnel communicated directly with the individual Bidders. During the review of exchanges received, there was no distinction made between affiliate, COP, and non-affiliate exchanges and all were treated strictly as transmission engineering issues, regardless of the source.

#### **E. INTERACTION WITH TRANSMISSION ANALYSIS TEAM**

All of the transmission analysis necessary to provide interconnection and delivery costs for the Bids was completed by the transmission analysis team using their existing models which had been calibrated to represent the Southern Company system. The work product was reviewed by the IE. The analysis and verification approach was designed and directed by the IE, while the resulting analysis was completed by the transmission analysis team.

The IE and the transmission analysis team communicated several times each week and held a nearly weekly meeting to discuss analysis progress. These discussions included all aspects of the work product and analysis being produced. Discussion topics were communicated to the team in advance of the meeting by the IE. Confidential Exhibit K contains an example of one of these team discussion topics.

As the transmission cost analysis was being completed, it was a usual practice for the IE to pose questions to the transmission team, and these questions often required additional analysis efforts by the team. The team throughout the entire analysis process was extremely cooperative in completing the needed analysis and in communicating with the IE. Confidential Exhibit L shows one of the responses to an analysis request from the IE.

#### **F. COMMUNICATION WITH COMMISSION STAFF**

Due to the shifting nature of the transmission analysis away from an interconnection cost basis toward a commercial operating date basis, the GPSC Staff was more active in the analysis process. On several occasions the Staff initiated a data request to the IE. On those occasions the IE was usually able to provide feedback to the Staff. The data that the IE was able to supply was often not complete. On those occasions a focused data request

was sent to the transmission team focused on fulfilling the request from the Electric Staff. Confidential Exhibit M shows an example of such an analysis request and response.

On a monthly basis a call was scheduled among the IE, GPSC Staff, and GPC to assist all three in understanding the analysis progress and to address any impediments that arose. The Transmission Team and the IE transmission personnel were part of these discussions. This was a valuable interchange that was very helpful as the transmission analysis was being completed.

## **G. CONCLUSIONS**

In summary, the IE feels that a fair and accurate transmission Bid cost evaluation was conducted and that all Bidders were treated equitably. Specific comments are as follows:

- Each of the nineteen Bids were individually evaluated with analysis documentation completed for each.
- All Bidders, both affiliate and non-affiliate, were treated equally.
- Transmission interconnection and delivery costs were calculated and provided by the Transmission Team to the Evaluation Team in a timely manner.
- Two Portfolios were established and evaluated. Completed analysis documentation was made available to the Evaluation team in a timely manner.
- Unit cost basis was not updated during this evaluation cycle. Future attention is needed to ensure that the cost basis used for transmission cost analysis is accurate.
- Future emphasis will be needed to ensure the accuracy of both standard unit costs and the timing of projects necessary for bid project interconnection.

## **XII. POST-EVALUATION DISCUSSIONS**

A meeting was held with each of the Short List Bidders. The IE and Staff attended each meeting and were full participants in the discussions. As noted in this report, the uncertainty produced by the changing standards emanating from Washington, D.C. and the need to resolve contractual terms provided to be time consuming. Notwithstanding repeated efforts by Bidders to have the discussions evolve into negotiations, GPC was steadfast in maintaining the non-negotiable pro-forma PPAs, with the full support of Staff and the IE. There were clarifications resulting from the discussions, in particular surrounding project specific aspects of contracts, yet no Bidder was permitted to change pricing or shift risk to GPC and its customers.

## **XIII. CONCLUSION**

While the RFP process took far longer than expected it was conducted fairly with the same evaluation methodology and criteria used for all evaluations, regardless of the source of a Bid or proposal. The IE is unaware of any overt or latent bias on the part of the Evaluation Team and believes the RFP was conducted fairly with appropriate transparency.

This RFP was more protracted than anticipated for a number of reasons. One was the imposition of new FERC transmission cluster study requirements that were not expected to be established during the pendency of

the RFP, causing the need to determine the impact on this RFP.

Another reason the evaluations took longer than desired was the effort taken by GPC to avoid concerns about the Evaluation Team performing due diligence on COP proposals. GPC retained the services of two consulting firms to do that work. The process of finding acceptable firms, especially finding ones without conflicts based on prior work either with Southern Company or one of the Bidders, was begun after Bids were received. That process proved to require more time than expected and delayed the start of that part of the evaluation of COP proposals. Once the firms were engaged the review took months longer than expected as a very detailed review of MTRs was undertaken. It was necessary to complete all due diligence in order to establish the finalists to be subjected to full transmission review. The IE firmly believes that in the future a more streamlined and focused review of MTR conformity is appropriate. The MTRs are specific to GPC. Accordingly, it is difficult to imagine a COP proposal would not meet those requirements. The IE believes the approach devised by the IE and Staff of identifying specific major components and confirming conformity to the MTRs for all Bids and proposals is appropriate and something that can be completed by Staff and the IE in a timely manner. Transmission review will continue to be a protracted process, but there are ways to streamline other aspects of the evaluation process, especially the non-price considerations, and those should be completed in a timelier manner so that the list of projects to be subject to full transmission analysis can begin without delay.