STATE OF GEORGIA

BEFORE THE

GEORGIA PUBLIC SERVICE COMMISSION

In Re:		
Georgia Power Company's	)	
Application for the Certification	)	**Docket No. 56298**
of Capacity from the 2029-2031	)	
All-Source RFP	)	

In Re:		
Georgia Power Company's	)	
Application for the Certification	)	**Docket No. 56310**
of Capacity Supplemental Resources	)	

GEORGIA POWER COMPANY'S RESPONSE TO THE JOINT PETITION FOR RECONSIDERATION ON BEHALF OF GEORGIA INTERFAITH POWER AND LIGHT, SOUTHFACE ENERGY INSTITUTE, THE SIERRA CLUB, AND THE SOUTHERN ALLIANCE FOR CLEAN ENERGY

COMES NOW Georgia Power Company ("Georgia Power" or the "Company") and hereby responds to the Joint Petition for Reconsideration ("Petition") filed on behalf of Georgia Interfaith Power and Light, Southface Energy Institute, the Sierra Club, and the Southern Alliance for Clean Energy ("Joint Petitioners") on January 9, 2026. The Petition seeks reconsideration of the Georgia Public Service Commission's ("Commission") December 30, 2025, Order Adopting Stipulation and Granting Certification of Capacity from the 2029-2031 All-Source RFP and Supplemental Resources for 2028-2031 Capacity in Docket Nos. 56298 and 56310 ("Certification Order"), whereby the Commission certified the resources necessary to support Georgia's growing capacity needs. In their Petition, Joint Petitioners seek to relitigate the same arguments they asserted throughout the proceeding, and which were rejected. They raise no new issue, nor do they identify

any evidence that the Commission failed to consider in reaching its decision. Joint Petitioners' desire for a different outcome is no valid legal basis for reconsideration of the Commission's decision, and the Petition should be denied.

To avoid rehashing arguments that have already been heard and decided, the Company does not respond to every argument in the Joint Petition; its silence on any issues should not be taken as agreement or acquiescence. For the reasons set forth herein, the Commission should deny the Petition.

I. BACKGROUND AND SUMMARY

On December 30, 2025, the Commission issued the Certification Order approving the Stipulation entered into by Public Interest Advocacy Staff ("PIA Staff") and the Company ("Certification Stipulation"), which was filed on December 10, 2025, in advance of rebuttal hearings and which approved of the All-Source and Supplemental Resources. The Certification Stipulation was the result of months of written submissions, discovery, and evidentiary hearings before the Commission. After the PIA Staff, Intervenor, and Company rebuttal hearings concluded, all parties to the case, including Joint Petitioners, fully briefed their respective positions. In addition, parties were afforded an opportunity for final oral argument at the Commission's special Energy Committee held on Friday December 19, 2025.

The record reflects that the resources approved for certification are necessary to meet capacity needs stemming from organic and large load customer growth and replace resources that will be lost due to the expiration of several power purchase agreements. The Commission's certification of these resources is in the public interest and will provide needed energy and capacity to Georgia Power's customers for years to come while also providing downward pressure on rates for all customers. Indeed, while not required to justify the certification, the Company committed

to ensuring that incremental revenue from large load customers would also place downward pressure on rates. This added benefit of the Stipulation adopted by the Commission provides certainty that the benefits of serving new large load customers will materialize as projected. As such, the certification of these resources, by also allowing the Company to meet the needs of customers, will benefit all customers by continuing to support growth and economic development in Georgia.

II. ARGUMENT

A petition for rehearing or reconsideration must show good cause for any relief to be granted.[1] Here, there is no good cause. Instead, Joint Petitioners recycle the same arguments they asserted in testimony, during hearings, and in post-hearing filings in hopes of a second bite at the apple. If the Commission adopted Joint Petitioners' positions, Georgia Power would not have the resources necessary to support customer needs over the next five years, reliability would be at risk, and Georgia Power's customers would be harmed—not benefitted. Accordingly, the Petition should be denied.

A. The Company's evidence demonstrates that the requested capacity resources are or will be necessary to meet the Company's forecasted capacity needs.

Georgia Power has demonstrated that it needs or will need all resources requested through the All-Source and Supplemental Resources filings, which were approved in the Certification Order. In this certification, like prior certification proceedings, Georgia Power is seeking to certify the resources needed to support forecasted growth. This growth is based on a forecasting model that the Commission has already found to be "based upon substantially accurate data and an

[1] *See* Commission Rule 515-2-1-.08 ("If, in the opinion of the Commission, good cause has been shown in said petition for rehearing, reconsideration and oral argument, the application shall be granted for such further relief as may be directed.").

adequate method of forecasting."[2] While Joint Petitioners may not support this growth, there is nothing speculative about it. Joint Petitioners would have the Company quit relying on forecasts and instead only seek to meet existing energy needs, demonstrated by signed contracts with no consideration of future energy demands, which would effectively end economic development in Georgia overnight, as new customers would have no incentive to locate to a state that may or may not be able to supply power. Only approving capacity when an executed customer contract is in hand which Joint Petitioners advocate, is akin to waiting until the customer puts the plug into the electrical outlet to build the generation necessary to provide power to that outlet. The state of Georgia has a statutory integrated resource planning process, whereby resources are planned to meet forecasted growth as determined in fully litigated Integrated Resource Plan ("IRP") proceedings, precisely to avoid such reactionary and unpredictable system planning.

Joint Petitioners are asking the Commission to throw out decades of this prudent IRP planning and read into the Certification Statute a perverse standard for certification that was *not* prescribed by the legislature and would be an enemy to both reliability and prudent resource planning. O.C.G.A. § 46-3A-4(a) directs that the Commission

> shall approve an application for certification upon finding that *there is or will be* a need for the proposed capacity resource at the time that [it] is proposed to be utilized to assure an economical and reliable supply of electric power and energy for the Georgia retail customers of a utility . . . .[3]

The Commission shall approve a utility's certification application "if found to be in the public interest and to substantially comply with these regulations."[4] Despite Joint Petitioners' claims, the Commission has made the appropriate findings and followed the law.

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[2] *Order Adopting Stipulation*, Docket Nos. 56002 and 56003 (July 31, 2025) at 10.
[3] O.C.G.A. § 46-3A-4(a) (emphasis added) (the "Certification Statute").
[4] Commission Rule 515-3-4-.07(e)(5).

1. The Certification Order correctly applies O.C.G.A. § 46-3A-4(a) and considers the Company's future need for capacity.

Joint Petitioners' position that the Company must have signed contracts for electric service in hand to justify needs[5] has no basis in any statute, regulation, or even in Commission precedent, and tellingly, Joint Petitioners cite no support. The Commission has appropriately relied on the Company's load forecast and projected capacity needs in every resource certification since the Certification Statute and IRP Act was passed in 1990. The legislature vested the Commission with the authority to issue a certificate of public convenience and necessity upon finding:

> (1) there is or will be a need for the proposed capacity resource at the time that the proposed resource is proposed to be utilized to assure an economical and reliable supply of electric power and energy for the Georgia retail customers of a utility,
>
> (2) that the certificate is required by the public convenience and necessity, and
>
> (3) that the certificate complies with the provisions of this chapter and the rules of the commission.[6]

The Commission rules further direct that the Commission *shall* approve a utility's application "if found to be in the public interest and to *substantially* comply with these regulations."[7]

Joint Petitioners ask this Commission to read into the Certification Statute that an executed contract for electric service is the same as "forecasted requirements." It is not. Such an interpretation would completely upend the load forecasting and resource planning approach approved by the legislature in passing the IRP Act (O.C.G.A. § 46-3A-1 et seq.). Indeed, under Joint Petitioners' proposed standard, "forecasting" and "resource planning" go away altogether, and customers—should they even still choose to come to Georgia—will be forced to wait until they've committed to a contract before the Company can build the generation that is needed to

[5] *Joint Petition for Reconsideration* (Jan. 9, 2025) at 12–13, 30; *Direct Testimony of Lucy Metz* (Nov. 12, 2025) at 18, 25–26, 55.
[6] O.C.G.A. § 46-3A-4(a).
[7] Commission Rule 515-3-4-.07(e)(5) (emphasis added).

serve them. The Company certainly could not commit to any service timeline under this model—a typical predicate to signing any significant contract for electric service. And the lack of capacity and reserves could have devastating effects on the long-term reliability for all customers.

Limiting the Commission's authority to certify only those resources backed by a contract stifles economic growth and hinders the Company's ability to plan for the growth of existing and future customers. The Company has sought, and the Commission has approved, resource certifications based on reasonably forecasted load and corresponding capacity needs, inclusive of customer growth, for decades. The Joint Petitioners ask the Commission to forsake a forecast methodology that has already been used in three other fully litigated proceedings and has been found to be an adequate method of forecasting based upon substantially accurate data.

2. The Company's load forecast reasonably estimates the future customer demand Georgia Power expects to serve.

Every year, Georgia Power prepares a long- and short-term organic load forecast using well-established, Commission-approved econometric techniques to reasonably project the load and energy needs of Georgia Power's customers. This 20-year load forecast is filed with the Commission, reviewed, analyzed, and ultimately approved as part of Georgia Power's triennial IRP process.[8] Beginning in 2023, with the onset of rapid, unprecedented economic development growth in Georgia, Georgia Power modified its load forecasting methodology to separately account for the impact of large load customers on its load forecast and the customer demand the Company should plan to serve. The Company's Load Realization Model uses a probabilistic model to evaluate thousands of potential combinations of existing and potential economic development

[8] Georgia Power files its load forecast at least every three years as part of its triennial IRP but also whenever the load forecast otherwise required to support a filing or request before the Commission, such as a resource certification.

loads, which are then sorted and ranked to create a probability distribution. The output of this probability distribution assesses the likelihood of the expected loads materializing and is the basis for the large load external adjustment applied to the Company's organic commercial and industrial load forecast.

The Budget 2026 ("B2026") Load Forecast, filed on September 17, 2025, in this proceeding, is based on the same risk adjusted methodology and approach that was previously approved by the Commission in Georgia Power's 2023 IRP Update (Docket No. 55378) and 2025 IRP (Docket No. 56002).[9] The only revisions to the B2026 Load Forecast were to update the underlying data with more recent and up-to-date information and improve and refine a few assumptions. Notably, the 2025 IRP Stipulation among Georgia Power, PIA Staff, and seven other intervenors, which was approved by the Commission on July 31, 2025, specifically acknowledged that the load forecast was based on substantially accurate data and an adequate method of forecasting in accordance with O.C.G.A. § 46-3A-2(b)(1).[10] The legislature and the Commission have both approved of using load forecasts that meet the requirements set forth in the IRP Act and the Commission's Rules.[11]

3. Georgia Power's forecast shows a significant capacity need through 2031.

Georgia Power's B2026 Load Forecast provides ample evidence of the Company's customer demand for the years 2028 through 2031, including the resources sought in the certification proceeding. Company Witness Valle has provided extensive testimony in support of the Company's load forecast in both this proceeding and in the 2025 IRP. For example, in

[9] The 2025 IRP Stipulation expressly directed the Company to update the capacity need in the 2029-2031 All-Source Certification Proceeding in October 2025 with the latest forecast (i.e. the B2026 Load Forecast).
[10] *See* O.C.G.A. § 46-3A-2(b)(1), which explicitly requires the Commission to determine that the utility's forecast requirements are based on substantially accurate data and an adequate method of forecasting. *See also Order Adopting Stipulation*, Docket Nos. 56002 and 56003 (July 31, 2025) at 10.
[11] O.C.G.A. § 46-3A-2(b)(1); *see* Commission Rule 515-3-4-.03.

September, Witness Valle filed the B2026 Load Forecast along with 21 pages of direct testimony in support of (i) the Company's load forecasting methodology, (ii) the risk adjustment process used to account for the impact of large load customers on the load forecast, and (iii) the changes made to the underlying assumptions since the B2025 Load Forecast and February 2025 Load Forecast Sensitivity, which were reviewed by the Commission and PIA Staff.

The Company is incentivized to ensure that the load forecast is accurate as possible, given that those load projections are relied upon by System planners to plan, assess, and ultimately serve customer needs in the regular course of business. While the entire country has seen a boom in electricity demand due to large load customers, that story is playing out in Georgia, and Georgia Power has signed a number of significant large load contracts in the past six months alone, showing that this forecasted growth is far from speculation or desire. It is materializing in real time. Indeed, since September 17, 2025, the Company has executed and filed four large load customer contracts under the revised Rules and Regulations,[12] representing 3.3 GW of capacity, on top of the 4.6 GW of existing large load customer commitments. Further, Georgia Power remains in active negotiations with multiple large load customers representing several gigawatts of additional load. Georgia Power stands behind its forecast, as evidenced by the fact that it committed to showing that these resources would enable it to show downward pressure on rates in the next rate case. In other words, Georgia Power bears the risk of this load not materializing as expected.

Consistent with past practice, the IRP Act, and the Commission's Rules, the Company must plan for future load growth and must necessarily rely on a forecast to do so. While Joint Petitioners question what loads the Company "needs" to serve versus those it "desires" to serve,

[12] *See Order Approving Revisions to Georgia Power Company's Rules and Regulations*, Docket No. 44280 (Jan. 28, 2025).

the forecast is designed to reflect anticipated needs—not "desired" growth. Specifically, Georgia Power forecasts the customer load it expects to serve in the future, which includes changes and load growth from existing residential, commercial, industrial, government, and MARTA customers as well as new customer load coming to the System. The Company is obligated to serve customers within its territory and must also account for customer choice customers located outside the service territory, which have a statutory right to select their electric service provider under the Georgia Territorial Electric Service Act ("Territorial Act").[13] The statutory construct of the Territorial Act promotes economic development by giving large load customers who locate in Georgia the right to select their electric service provider, via a competitive process, and drives economic development that ultimately benefits all customers. The distinction Joint Petitioners draw between those customers Georgia Power has an obligation to serve as the incumbent electric service provider and those for which it competes is a fallacy. Planning to serve only those customers that locate in Georgia Power's assigned service territory runs contrary to the Company's role as an electric supplier under the Territorial Act and would limit the ability of Georgia Power to compete to serve new loads when doing so would benefit its retail customer base. Imposing such a limitation on planning would increase reliability risk to existing customers, stifle economic growth in the state, and erode the ability to put downward pressure on rates for all customers.

4. The Company and Commission have the tools to address any changes to forecasted needs.

If the forecasted load growth materializes slower than anticipated or at a level materially lower than expected, the Company and Commission can revisit the certified resources and take steps to mitigate any potential capacity in excess of the approved reserve margin. As part of its

[13]O.C.G.A. § 46-3-4.

standard planning processes each year, the Company reviews its capacity needs based on its updated load forecast and resource assumptions. If the projected load growth does not materialize as expected, the Company would evaluate all available options and select the most appropriate action (if any) to bring the amount of capacity online as close to the system reserve margin as possible, including but not limited to the following: (1) seek to increase or accelerate the load ramps from existing customers who are capable of using more energy earlier but were not planned for in the forecast; (2) reduce the size of needs being procured in future requests for proposals ("RFPs"); (3) delay the timing of future RFPs; (4) pause, delay, or cancel resources being constructed; (5) consider load changes when evaluating existing resources or programs; or (6) sell capacity beyond what is needed to satisfy the target reserve margin to other entities in the Southeast through Southern Wholesale Energy ("SWE") for the period of time that such resources exceed the approved reserve margin.

In addition, the Commission has the statutory authority to reexamine a certificate at any time upon its own motion or if asked by the Company. Specifically, the Commission can reexamine any certificate to "determine whether new forecasts of future requirements require the modification of the construction, purchase, sale, or expenditure for a certificated capacity resource."[14] The doom and gloom picture painted by the Joint Petitioners that the Certification Order handcuffs customers to pay for resources they don't need in perpetuity is wrong, ignores the Commission's existing statutory authority, and the Company's own commitments as set forth in the Stipulation. Joint Petitioners choose to gloss over the regulatory and operational mechanisms in place to protect against having excess reserves on the system, and instead, advance a position

[14] O.C.G.A. § 46-3A-6.

that would lead to less reliability, risk under building the system, and risk not meeting customer needs.

Finally, the Commission will continue to have oversight of the economic development pipeline growth and the impact on Georgia Power's load forecast. The Company has agreed to continue to file its quarterly large load forecasts,[15] and per the 2025 IRP Stipulation, the Company has also committed to filing its Load Forecasts more frequently than every three years in the IRP.[16] In addition, even if no action is taken on the Petition, Georgia Power retains an obligation to amend a certificate if the load forecast changes and no longer supports the size, type, or need for a capacity resource.[17] As such, no action is needed on the Petition given the checks and balances already set forth by the legislature and this Commission to oversee the continued need for each of the resources approved in the Certification Order.

B. The Certification Order includes specific customer protections and is in the public interest.

The certified resources will economically and reliably meet customer needs and are in the public interest.

1. The portfolio of resources approved in the Certification Order will economically and reliably meet Georgia Power's capacity needs through 2031 and are in the public interest.

The standard for certification is that there "is or will be a need for the proposed capacity resource" at the time it is proposed to be utilized "to assure an economical and reliable supply of electric power and energy" for Georgia Power's retail customers *and* that it be in the public interest.[18] This is precisely why there is a Commission-approved RFP process and requirement

[15] *Order Adopting Stipulation*, Docket Nos. 56002 and 56003 (July 31, 2025) at 11.
[16] *Id.*
[17] *See* Commission Rule 515-3-4-.08(1)(d).
[18] O.C.G.A. § 46-3A-4(a); Commission Rule 515-3-4-.07(1)(e)(5).

that new supply side resources be competitively solicited. Consistent with the Commission's order in the 2022 IRP, the Commission's Rules, and the oversight of the Independent Evaluator, Georgia Power conducted the 2029-2031 All-Source RFP to procure needed capacity resources for the 2029-2031 timeframe, which it brought forth for certification in this proceeding. Neither the 2029-2031 All-Source RFP nor the 2027/2028 Winter Battery Energy Storage System ("BESS") RFP, which sought energy storage resources for an earlier need year, procured sufficient resources to fully meet the Company's capacity needs. To address the remaining needs, Georgia Power sought and contracted for a portfolio of Supplemental Resources made up of additional system length, existing thermal resources, and co-locating BESS facilities alongside existing solar resources already under contract with Georgia Power. Georgia Power then sought Commission certification of the Supplemental Resources pursuant to one or more of the exceptions to the Commission's RFP Rules. Joint Petitioners contend that the Company failed to demonstrate that these resources are economical and in the public interest. This argument fails for several key reasons.

First, 18 of the certified resources were procured through a competitive solicitation—the 2029-2031 All-Source RFP. Contrary to Joint Petitioners' suggestion otherwise, PIA Staff and the Independent Evaluator confirmed that the RFP was a fair and transparent process conducted in accordance with the Commission's RFP rules and processes.[19] By design, the RFP process ensures that resources submitted are fairly evaluated against each other and the resources ultimately procured are economical and in the best interest of customers. From the development of the RFP documents to the selection of Short List submissions, the Company's RFP and evaluation process is conducted with the oversight of the Independent Evaluator and PIA Staff. Notably, the RFP

[19] *See* Accion Group, *Final Report of the Independent Evaluator Regarding Georgia Power's 2029-2031 Capacity Request for Proposals* (Nov. 12, 2025) at 26 (hereinafter "Final IE Report") ("The IE believes the RFP was designed to be fair and adhered to the rules of the GPSC.").

process does not always result in the lowest cost resource. In addition to pure cost considerations, the Company must evaluate reliability, constructability, feasibility, and the impact of the added resource on the System, which it did.

Second, an RFP is not the only way to identify and procure economical resources for customers. The Company developed a portfolio that uses existing relationships, infrastructure, and connectivity to satisfy customer demand within the near-term capacity need timeframe. The Supplemental Resources provide a combination of added system length, existing resources, and optionality to pair new BESS resources with existing solar facilities. This approach maximizes value (getting resources online quicker and at a lower cost) by leveraging access to available capacity through resources with established interconnections and minimal transmission upgrades. The Company performed a comprehensive evaluation of the Supplemental Resources and included the cost-benefit analysis of all the Supplemental Resource options within the certification application. The Company evaluated the Supplemental Resources using the same methodology and assumptions as applied in the 2029-2031 All-Source RFP evaluation. As such, the Company was able to compare the prices resulting from the Supplemental Resources to those received in the All-Source RFP. As the Company has previously demonstrated, the Supplemental Resources evaluated comparably to the economics of the competitively procured resources.[20]

Collectively, the All-Source RFP resources and Supplemental Resources will serve to economically and reliably serve customers at the time when they are proposed to be utilized and are in the public interest.

[20] Ex. GPC-3 at 18, 37; Tr. 172.

2. It is appropriate to certify the Supplemental Resources pursuant to the Commission's RFP exceptions 515-3-4-04(3)(f)(3) and (6).

The Commission's RFP Rules recognize that not all supply side resources will be procured through an RFP and thus provide various exceptions to that process. Georgia Power sought certification of the Supplemental Resources pursuant to the Commission's RFP exceptions. Commission Rules 515-3-4-.04(3)(f)(3) and (f)(6) allow the Company to procure resources of extraordinary advantage that require immediate action outside of the RFP process and further allow the Commission to use its discretion to exclude any supply-side resources from the RFP process.

Joint Petitioners' contention that Commission Rule 515-3-4-.04(3)(f)(6) is inapplicable outside of an IRP is misplaced. The 2022 IRP and 2023 IRP Update showed capacity needs that resulted in two RFPs, the 2029-2031 All-Source RFP and 2027/2028 Winter BESS RFP, but neither procured resources sufficient to fill the Company's full capacity needs through 2031. Accordingly, the Company seeks to certify resources that were procured in the 2029-2031 All-Source RFP and is seeking Supplemental Resources to meet the remaining needs. While the current proceeding is not itself an IRP, the Company is seeking to certify resources to meet the need to add resources as approved in Georgia Power's 2022 IRP and reinforced in the 2023 IRP Update. The Commission has previously certified resources pursuant to its discretion as set forth in RFP exception 515-3-4-.04(3)(f)(6), including in the 2023 IRP Update, where, as here, the record supported the need for those resources in a timely manner. It would be virtually impossible for the Company to procure these resources through an new RFP process within the necessary timeframe. Accordingly, the Commission acted within its discretion to approve the requested Supplemental Resources to meet the identified capacity needs supported in this proceeding and to supplement the resources identified in the All-Source RFP pursuant to the RFP exception in Commission Rule 515-3-4-.04(3)(f)(6).

The Company also sought to certify the Supplemental Resources under the extraordinary advantage RFP exception, Commission Rule 515-3-4-.04(3)(f)(3). Contrary to Joint Petitioners' claims, the Supplemental Resources provide the Company with an extraordinary advantage to meet its demonstrated capacity need at the time needed and require immediate action.[21] To procure these resources, the Company leveraged its established relationships to secure additional capacity at competitive pricing. The Company evaluated the Supplemental Resources using the same assumptions it used in the evaluation of the proposals submitted in the All-Source RFP. Given the time required to develop and conduct an RFP, delaying action on these resources to a future RFP would not provide sufficient guarantee that the resources would be available to meet the capacity needs in the 2028-2031 timeframe. These resources required immediate action by the Company. When considering the tight and competitive capacity market generally, and the ability for several of the Supplemental Resources to meet earlier capacity needs not targeted in the All-Source RFP, the Supplemental Resources offer Georgia Power and its customers the extraordinary advantage of efficiently and cost-effectively meeting customer demand and reliability needs for the earliest capacity need in winter 2027/2028 and continuing through winter 2030/2031. Again, Joint Petitioners fail to demonstrate good cause for rehearing on this issue.

3. The evidentiary record before the Commission was more than sufficient to decide whether to certify the resources in this case even in the absence of any Georgia Power commitment to customer benefits.

While Joint Petitioners argue that Georgia Power's financial commitment to show that these resources will place downward pressure on rates lacks evidentiary support, the commitment by the Company is an added benefit—not the basis for certification. The resources were certified

[21] Commission Rule 515-3-4-.04(3)(f)(3).

based upon the forecasted needs of the Company's customers, and the Commission had a complete record on which to make the required determinations for certification. The Company's agreement in paragraph 4 of the Certification Stipulation to "file its next base rate case in a manner that will ensure the incremental revenue from large load customers has downward pressure of at least $8.50 per month to the typical residential customer" for 2029 through 2031 is just that—an agreement by the Company negotiated through the give-and-take process as part of a stipulation. This is an added benefit for customers. There are many aspects of negotiations that result in agreements by parties above and beyond what is required by relevant statutes or regulations. That is exactly the case here. The Company was not required to propose, quantify, or commit to any amount of customer benefit as part of its certification applications. The inclusion of such benefit in the Certification Stipulation highlights the benefit of resolving a case through settlement—getting something more than was required in the underlying case—rather than masking an unresolved disagreement or shortcoming in the Company's filing as claimed by the Joint Petitioners. Georgia Power and PIA Staff do not have to agree on every detail of the load forecast methodology from now until forever to reach an agreement that a capacity need exists in 2028-2031 and the proposed resources will economically and reliably meet that need.[22]

As stated above, the Certification Statute requires the Company to demonstrate and the Commission to find that "there is or will be a need for the proposed capacity resource at the time that the proposed resource is proposed to be utilized to assure an *economical and reliable* supply

[22] The Order Adopting Stipulation in the 2025 IRP approved the Company's load forecast, finding it "is based on substantially accurate data and an adequate method of forecasting." *Order Adopting Stipulation*, Docket Nos. 56002 and 56003 (July 31, 2025) at 10. For purposes of this proceeding, the Commission recognized that "the Company and Staff shall update the methodologies as they each determine to be appropriate, and Staff may propose that the Commission modify the methodology to include the materialization of executed Contracts for Electric Service in determining the Load Forecast." *Id.* at 11.

of electric power and energy for the Georgia retail customers of a utility . . . ."[23] The Company's applications, supporting testimony, and record evidence at hearing support the Commission's decision to certify the requested resources even if the Certification Stipulation had never been entered. The Company has shown that the certified resources will be needed at the time they are proposed and will economically and reliably serve customers. As such, Joint Petitioners' challenges to the Company's commitments to ensure the revenue from large load customers has downward pressure on rates are misplaced and a distraction. The record in this case supports the certification of the resources to meet customers' needs, which is the issue to be decided in this proceeding. As such, the Commission should deny the Petition.

C. The Commission was well within its authority and discretion to approve the Certification Stipulation.

The Commission acted squarely within its statutory authority when approving the Certification Stipulation. As detailed extensively above, the Commission has the express authority, and in fact *shall*, issue a certificate "upon a finding that there is or will be a need for the proposed capacity resource at the time that the proposed resource is proposed to be utilized to assure an economical and reliable supply of electric power and energy for the Georgia retail customers of a utility . . . ."[24] The Company's load forecast, which has already been deemed by the Commission to be "based on substantially accurate data and an adequate method of forecasting" identifies an increasing customer demand through 2031 and supports the capacity need sought to be filled by the All-Source and Supplemental Resources. Accordingly, the Commission issued its Certification Order. Joint Petitioners' allegation that the Commission exceeded its statutory authority and

[23] O.C.G.A. § 46-3A-4(a).
[24] *Id.*

thereby violated the Georgia Constitution is based on the flawed argument that under the Certification Statute the Company may only demonstrate a future need through an executed contract for electric service. The Commission acted well within its discretion under IRP Act to approve the Certification Stipulation. There is no good cause for rehearing on this basis. The Commission should deny the Petition.

CONCLUSION

For the reasons stated herein, the Company respectfully requests that the Commission deny the Joint Petition for Reconsideration filed in these dockets on January 9, 2026.

Respectfully submitted, this 20th day of January, 2026.

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