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Docket Nos: 56298 & 56310

In re: Consideration of GIPL, Southface Institute, Sierra Club, and Southern Alliance for Clean Energy's Joint Petition on Whether the Petitioners Should Be Granted Access to Trade Secret Designated Large Load Revenue Requirement Financial Workpapers Used in Support Of, Or Otherwise Relied On, For the Stipulation Between Public Interest Advocacy Staff and Georgia Power, Under an Appropriate Non-Disclosure Agreement.

ORDER DENYING GIPL, SOUTHFACE INSTITUTE, SIERRA CLUB, AND SOUTHERN ALLIANCE FOR CLEAN ENERGY'S JOINT PETITION FOR ACCESS TO TRADE SECRET INFORMATION UNDER A NON-DISCLOSURE DOCUMENT.

On February 3, 2026, the Commission conducted a limited hearing, based on the Chairman's December 19, 2025, ruling pursuant to Rule 515-1-1-.02 and 515-3-2-.11(3), where Georgia Power and Joint Petitioners ("Parties") gave arguments on whether the Joint Petitioners should be granted access to trade secret designated large load revenue requirement financial workpapers used in support of or otherwise relied on for the Stipulation, under an appropriate non-disclosure agreement ("NDA").

During the hearing, Georgia Power presented a witness panel that gave direct testimony and was subject to cross examination by GIPL's attorneys. Commissioners also asked the panel questions. The Georgia Power witness panel testified that while it had provided other trade secret information to GIPL under an NDA in this docket, the requested information was highly confidential and the risks to the Company and its customers from being known was extremely

high. The requested information is the information the Company uses to provide complex pricing offers to potential data centers. The Company not only competes for data centers within Georgia and the Southeast, it competes with other companies and other states throughout the country. The panel concluded its testimony by highlighting that if a competitor knew how Georgia Power priced its contracts, that competitor might be able to undercut and harm the Company, its customers, and the state of Georgia. The Commission held its vote on the matter until its February 18, 2026, Administrative Session.

At the February 18, 2026, Administrative Session, Chairman Shaw motioned to deny the Joint Petitioner's Motion to access certain trade secret designated financial paperwork under an appropriate non-disclosure agreement. The test for this Commission to apply is whether "the potential for economic harm to [Georgia Power] outweighs the public benefit derived from allowing [GIPL] access to such information" under an NDA. As described above, Georgia Power presented strong evidence of the potential for economic harm. While Georgia Power did not provide the requested information to Petitioner, it did provide other information relating to projected revenue, revenue requirement, and the Company's revenue commitment.

The Chairman's motion concluded that,

> "[t]his Commission has made it clear that existing customers will not be bearing any of the costs of the new data centers coming on to Georgia Power's system. That is the overarching public interest issue we are dealing with here. That is what the Stipulation does. And the information that the Company provided to GIPL is sufficient to demonstrate that the Stipulation provisions on the revenue floor and the $8.50 are more than sufficient to ensure that."

The Chairman's motion passed 3-2 where Commissioners Pridemore, Shaw, and McDonald voted in the majority while Commissioners Johnson and Hubbard voted in the minority.

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WHEREFORE IT IS ORDERD, that GIPL, Southface Institute, Sierra Club, and Southern Alliance for Clean Energy's Joint Petition for Access to Trade Secret Designated Information under an NDA is so denied.

ORDERED FURTHER, that all findings, conclusions, statements, and directives made by the Commission and contained in the foregoing sections of the Order are hereby adopted as findings of fact, conclusions of law, statements of regulatory policy, and Orders of this Commission.

ORDERED FURTHER, that a motion for reconsideration, rehearing, or oral argument or any other motion shall not stay the effective date of the Order, unless otherwise ordered by the Commission.

ORDERED FURTHER, that jurisdiction over these matters is expressly retained for the purpose of entering such further Order or Orders as this Commission may deem just and proper.

The above by action of the Commission at its Administrative Session on the 18th day of February, 2026.

Sallie Tanner
Executive Secretary

2-23-26
Date

Jason Shaw
Chairman

2-23-26
Date