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BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION
STATE OF GEORGIA

In Re: Countywide Safety Plan for Peach	)	DOCKET NO. 29313
In Re: Mid-State Energy application of MGAG for Amended Certificate of Public Convenience and Necessity for Peach County	)	DOCKET NO. 30339
In Re: Atlanta Gas Light Company's Certificate of Public Convenience and Necessity for Peach County	)	DOCKET NO. 30303

ORDER AMENDING THE COUNTYWIDE SAFETY PLAN, CERTIFICATES, COMMISSION RULE 515-7-1-.15(6) AND WAIVER OF HEARING REQUIRMENTS

These matters come before the Georgia Public Service Commission ("Commission") as a result of the filings by Mid-State Energy Commission ("MSE")[1] filing

[1] Mid-State Energy Commission f/k/a as Jointly Owned Natural Gas ("Jointly Owned") was created by a Partnership Agreement between the cities of Cochran, Hawkinsville, Perry and Warner Robins on June 15, 1953, to which the City of Byron was added by an Agreement of Merger, dated October 29, 2008. The cities adopted a new Intergovernmental Operating Agreement in 2020 to create MSE. The Commission was notified of this change by letter from Mr. Wayne James, formerly General Manager of Jointly Owned and now Executive Director of MSE on March 4, 2021.

a Petition to amend a Countywide Safety Plan ("CWSP"), amend the Certificates, waive Commission Rule 515-7-1-.15(6) (the "80-Foot Rule"), and waive the associated hearing requirements.

I. JURISDICTION

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

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

II. PROCEDURAL HISTORY

On December 18, 2025, (Docket 29313, Document 224913) MSE filed a Petition to Amend the Peach County Countywide Safety Plan and to waive Commission Rule 515-7-1-.15(6) (the "80-Foot Rule"). The Peach CWSP's current boundaries are to be revised to include a new MSE Pipeline Only Right of Way. The proposed amendment comes as a result of MSE installing a new pipeline from the new tap in Monroe County through Crawford and Peach Counties into Houston County to a point on MSE pipeline facilities within MSE's Pipeline-Only Right-of-Way.

On December 18, 2025 MSE also filed an application to Amend its Pipeline and Distribution Certificates of Public Convenience and Necessity for Peach County (Docket 30339, Document 224911) (Pipeline Certificate No. 69 and Distribution System Certificate No. 138). MSE must obtain amendments to both Certificates to construct the new pipeline in Peach County. MSE will provide natural gas to Fort Valley Utility Commission's ("FVUC"). The proposed pipeline will also provide additional capacity for MSE's existing natural gas distribution system in Houston County. MSE seeks to amend its certificates in Peach County. MSE does not seek authority to provide natural gas service to any customers in Peach County.

With regards to the request for waiver of the 80-Foot rule, MSE's proposed pipeline requires encroachment on Fort Valley Utility Commission's ("FVUC") natural gas system along the majority of the length of MSE's proposed Pipeline-Only ROW.

The Peach CWSP has not been amended since it was approved by this Commission on May 3, 2011.

MSE's Certificates have not been amended since it was approved by this Commission on May 10, 2011.

Atlanta Gas Light Company's Certificate was amended May 10, 2011. Its boundaries were not affected by these requests.

MSE, Atlanta Gas Light Company, Fort Valley Utilities Commission, and City of Perry ("Peach County Operators ") are the operators in Peach County. Fort Valley Utilities Commission and the City of Perry have home county status in Peach County and have no objection to the requests. Atlanta Gas Light Company has a Certificate in Peach County and has no objection to the requests.

The Commission's Facility Protection Unit has reviewed the proposed requests and has no objection.

II. STAFF REVIEW AND RECOMMENDATION

The Staff has reviewed and performed its due diligence of the Petitions. The Facilities Protection Unit has inspected the proposed boundaries and waivers and has no objections to the requests.

Staff recommends that the Commission grant the requests and waivers of the associated hearing requirements.

IV. STATUTES AND COMMISSON RULES INVOLVED

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

92, 46-2-93, 46-4-21, 46-4-22, 46-4-23, 46-4-24, 46-4-25, 46-4-26, 46-4-27, 46-4-28, 46-4-29, 46-4-30, 46-4-31, and 50-13-1 *et seq*. The applicable Commission Rules involved are, *inter alia*, at 515-7-1-.01 *et. seq*., 515-9-1-.01 *et. seq*., 515-9-3.01 *et seq*., and 515-9-7-.01.

V. FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

2. THE COMMISSION FURTHER FINDS AND CONCLUDES that Atlanta Gas Light Company, Mid-State Energy Commission, Fort Valley Utility Commission, and the City of Perry are each individually and collectively subject to the safety jurisdiction of the Commission.

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

4. THE COMMISSION FURTHER FINDS AND CONCLUDES that the Mid-State Energy Commission, Atlanta Gas Light Company, Fort Valley Utility Commission, and the City of Perry hereby waive any hearings and/or further findings or conclusions of law with respect to the above-styled matters and agree that the Commission may enter an order based upon the agreement of Mid-State Energy Commission, Atlanta Gas Light Company, Fort Valley Utility Commission, and the City of Perry, to comport their respective territories to the safety-based boundaries agreed to in the Joint Consent Agreement attached hereto and the Countywide Safety Plans agreed to by the Operators and Staff (attached as Exhibit "A" to the Consent Agreement and "C" (Maps) thereto). The Peach Countywide Safety Plan Consent Agreement, Plan and Plan Map(s) are all incorporated into this order as if specifically written herein.

5. THE COMMISSION FURTHER FINDS AND CONCLUDES that the CWSP for Peach County (see Exhibit "A" to the Consent Agreement (Attachment "One")) agreed to by the Operators and Staff, shall be the CWSP for Peach County until otherwise ordered by the Commission.

6. THE COMMISSION FURTHER FINDS AND CONCLUDES that Mid-State Energy Commission's request waiver of Commission Rule 515-7-1-.15(6) (the "80-Foot Rule") is granted.

7. THE COMMISSION FURTHER FINDS AND CONCLUDES that compliance with all parts of the CWSP for Peach County (*id.*) shall begin immediately upon issuance of this Commission Order. All timelines and action items contained within the Consent Agreement and Peach CWSP shall be incorporated by reference into the body of this Order Adopting Consent Agreement as if specifically written herein and the failure of the Operators to meet all such timelines and/ or act on all such action items shall be a violation of this Order.

8. THE COMMISSION FURTHER FINDS AND CONCLUDES that all changes to the CWSP for Peach County shall be made in accordance with *inter alia*, Commission Rule 515-9-7-.01 *et. seq*.

9. THE COMMISSION FURTHER FINDS AND CONCLUDES that Mid-State Energy Commission's Pipeline and Distribution Certificates of Public Convenience and Necessity shall be granted to conform to the safety-based boundaries agreed to by Staff and the Peach County Operators in accordance with the CWSP/Maps attached hereto. (Exhibit "A" to the Joint Consent Agreement and Attachments "A" and "C" thereto respectively (for the Plan and Plan Maps)).

10. THE COMMISSION FURTHER FINDS AND CONCLUDES that based on the Commission's review of the proposed CWSP/Maps and Certificate Application submitted, that such agreements by the Operators are respectively, a reasonable and appropriate resolution of the CWSP and Certificate proceedings for Peach County, Georgia.

11. THE COMMISSION FURTHER FINDS that Mid-State Energy Commission's request for informal disposition and waiver of hearing pursuant to O.C.G.A. § 50-13-13(4) is granted, and that the informal disposition is appropriate given the agreement of all affected Peach County operators to the proffered CWSP.

12. THE COMMISSION FURTHER FINDS AND CONCLUDES that the executed Joint Consent Agreement and the Peach CWSP/Maps attached hereto, are hereby adopted by the Commission, and shall constitute a final resolution of the Peach CWSP and related Certificate docket.

II. ORDERING PARAGRAPHS

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

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

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

The above by action of the Commission in Administrative Session on the 21st day of May 2026.

Sallie Tanner
Executive Secretary

5-21-26
Date

Jason Shaw
Chairman

5-21-26
Date