FILED
08/12/2026
Executive Secretary G.P.S.C.

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF GEORGIA

SUSTAINABLE NEWTON, SARA and RANDALL VINSON, And THEODOSIA and WILLIAM WADE,	:	
Petitioners	:	DOCKET NO.: 57243
v.	:	
VOLTAGRID, LLC,	:	
Respondent	:	

ANSWER OF RESPONDENT, VOLTAGRID, LLC

Comes now, VOLTAGRID, LLC, ("Respondent, VOLTAGRID") Respondent in the above styled docket and pursuant to the provisions of O.C.G.A. § 46-3-8 and Commission Rule 515-2-1-.04 files this Answer to the Petition for Declaratory Judgment and Enforcement Against VoltaGrid, LLC (the "Petition") brought by SUSTAINABLE NEWTON, SARA and RANDALL VINSON and THEODOSIA and WILLIAM WADE (collectively, PETITIONERS), showing the Georgia Public Service Commission ("Commission"), as follows:

FIRST DEFENSE

PETITIONERS' Petition fails to state a claim under the Georgia Territorial Electric Service Act., O.C.G.A. § 46-3-1, et seq. (the "Territorial Act") over which this Commission has jurisdiction with the result that their Petition must be dismissed.

SECOND DEFENSE

Respondent, VOLTAGRID is not an electric supplier as defined in O.C.G.A. § 46-3-3(3), and as a result is not subject to the Commission's jurisdiction.

THIRD DEFENSE

Respondent, VOLTAGRID has not conducted any retail sale of electricity to any party in Georgia, and as a result has not committed any act that is subject to the Commission's jurisdiction.

FOURTH DEFENSE

PETITIONERS are not "interested parties" with authority to initiate this Petition under the Territorial Act with the result that their Petition must be dismissed.

FIFTH DEFENSE

PETITIONERS lack standing to pursue the allegations set forth in their Petition with the result that their Petition must be dismissed.

SIXTH DEFENSE

In the event that PETITIONERS are "interested parties," PETITIONERS' interests are limited by O.C.G.A. § 46-3-8(c)(1) with the result that their Petition may only assert allegations limited to whether "the service of an electric supplier then serving a premises or exclusively entitled under this part to serve such premises is not adequate or dependable or that such electric supplier's rates, charges, service rules and regulations, or the application thereof unreasonably discriminate in favor of or against the consumer utilizing such premises, or that an electric supplier is in violation of subsection (b) of Code Section 46-3-11." Inasmuch as PETITIONERS do not raise any of these claims in their Petition, it must be dismissed.

SEVENTH DEFENSE

The provisions of the Territorial Act do not apply to nor restrict the ability of any "person" to develop facilities under The Georgia Cogeneration and Distributed Generation Act of 2001, O.C.G.A. § 46-3-50, et seq. (the "CoGen Act").

EIGHTH DEFENSE

Respondent, VOLTAGRID responds to the Introduction and individually numbered Paragraphs of PETITIONERS' Petition, each response being identified to correspond to that portion of the Petition to which it is addressed, as follows:

Introduction

Respondent, VOLTAGRID denies the allegations of the First Paragraph of the Introduction. In response to the allegations of the Second Paragraph of the Introduction, Respondent, VOLTAGRID shows that the date and content of any document issued by the Environmental Protection Division ("EPD") of the Georgia Department of Natural Resources ("DNR") and any document tendered by Respondent, VOLTAGRID in response thereto are public documents, the contents of which speak for themselves, with the result that no further response from Respondent, VOLTAGRID is required.

Parties and Jurisdiction

1.

In response to Paragraph 1, Respondent, VOLTAGRID shows that the provisions and terms of the statutes which are identified therein as establishing the Commission's authority, the Territorial Act, the CoGen Act and the Georgia Administrative Procedure Act all speak for themselves with the result that no response from Respondent, VOLTAGRID is required.

2.

For want of information sufficient it to form a belief as to the truth or accuracy of the allegations of Paragraphs 2, 3, 4 and 5, Respondent, VOLTAGRID can neither admit nor deny the same.

3.

Respondent, VOLTAGRID denies the allegations of the First Sentence of Paragraph 6. For want of information sufficient it to form a belief as to the truth or accuracy of the remaining allegations of Paragraph 6, Respondent, VOLTAGRID can neither admit nor deny the same, except that Petitioners' statement of interest is insufficient to establish their right to initiate this docket.

4.

In response to the allegations of Paragraph 7, Respondent, VOLTAGRID shows that the public information contained on its website is a public document, the content of which speaks for itself, with the result that no further response from Respondent, VOLTAGRID is required.

5.

Respondent, VOLTAGRID denies the allegations of Paragraphs 8 and 10.

6.

Respondent, VOLTAGRID admits the allegations of Paragraph 9.

7.

In response to the allegations of sub-paragraphs 1-4 of Paragraph 11, Respondent, VOLTAGRID shows that the actions of the City of Covington, Georgia are memorialized in its official minutes which are public documents and publicly available. The content of the minutes speaks for itself, with the result that no further response from Respondent, VOLTAGRID is required. For want of information sufficient it to permit it form a belief as to the truth or accuracy of the allegations of sub-paragraph 5 of Paragraph 11, VOLTAGRID can neither admit nor deny the same.

Information from VoltaGrid and ServerFarm

8.

Respondent, VOLTAGRID incorporates herein its responses to the Introduction and allegations in Paragraphs 1-11 as if fully set forth herein.

9.

In response to the allegations of Paragraphs 12-13, Respondent, VOLTAGRID shows that the applications tendered to EPD are public documents and publicly available, as evidenced by their attachment as Exhibits to the Petition. The documents speak for themselves, with the result that no further response from Respondent, VOLTAGRID is required.

10.

Respondent, VOLTAGRID denies the allegations of Paragraphs 14, 15 and 21.

11.

In response to the allegations of Paragraphs 16, 17, 18, 20 (all sub-paragraphs) and 22, Respondent, VOLTAGRID shows that the applications tendered to EPD are public documents and publicly available, as evidenced by their attachment as Exhibits to the Petition. The documents speak for themselves, with the result that no further response from Respondent, VOLTAGRID is required.

12.

In response to the allegations of Paragraph 19, Respondent, VOLTAGRID shows that the provisions of 40 C.F.R. §§ 70.2, 71.2 are regulations adopted by an agency of the United States government. Such regulations are publicly available and speak for themselves, with the result that no further response from Respondent, VOLTAGRID is required.

The Territorial and Cogeneration Act Violations

13.

Respondent, VOLTAGRID incorporates herein its response to the Introduction and allegations in Paragraphs 1-22 as if fully set forth herein.

14.

In response to the allegations of Paragraph 23, Respondent, VOLTAGRID shows that the Territorial Act is a statutory enactment of the State of Georgia and that its terms, conditions and requirements speak for themselves, with the result that no further response from Respondent, VOLTAGRID is required. Respondent, VOLTAGRID denies that the Territorial Act applies to its contractual arrangement with and the services that it will provide to ServerFarm.

15.

In response to the allegations of Paragraph 24, Respondent, VOLTAGRID shows that the the CoGen Act is a statutory enactment of the State of Georgia and that its terms, conditions and requirements speak for themselves, with the result that no further response from Respondent, VOLTAGRID is required.

16.

Respondent, VOLTAGRID denies the allegations of Paragraphs 25 and 26.

WHEREFORE, having fully answered PETITIONERS' Petition for Declaratory Judgment and Enforcement Against VoltaGrid, LLC, Respondent, VOLTAGRID prays that:

a. Its Answer be read and considered;

b. The Commission dismiss PETITIONERS' Petition for lack of jurisdiction;

c. Alternatively, the Commission dismiss PETITIONERS' Petition for lack of standing; and

d. The Commission grant Respondent, VOLTAGRID such further relief as the Commission deems proper.

This 12th day of August, 2026.

GALLOWAY & LYNDALL, LLP
Counsel for VoltaGrid, LLC

/s/ Newton M. Galloway
Newton M. Galloway
Georgia Bar No.: 283069

/s/ Terri M. Lyndall
Terri M. Lyndall
Georgia Bar No.: 462235

The Lewis Mills House
406 North Hill Street
Griffin, GA 30223
(770) 233-6230 telephone
(770) 233-6231 facsimile
ngalloway@gallyn-law.com

BECK, OWEN & MURRAY
Counsel for VoltaGrid, LLC

/s/ David E. Penland
David E. Penland
Georgia Bar No.: 636376

One Griffin Center
100 S. Hill Street, Suite 600
Griffin, GA 30223
(770) 227-4000 telephone
(770) 229-8524 facsimile
dpenland@beckowen.com

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF GEORGIA

SUSTAINABLE NEWTON, SARA and RANDALL VINSON, And THEODOSIA and WILLIAM WADE,	:	
Petitioners	:	DOCKET NO.: 57243
v.	:	
VOLTAGRID, LLC,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing ANSWER OF RESPONDENT, VOLTAGRID, LLC upon the following persons by causing electronic copies of the same to be transmitted to each interested party that has supplied a valid email address, and all other parties to be served via e-mail or first class mail with adequate postage affixed thereon and deposited in the United States Mail addressed as follows:

Ms. Sallie Tanner
Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334-5701

Mr. Rob Trokey
Director, Electric Unit
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334-5701
rtrokey@psc.ga.gov

Mr. Tom Bond
Director of Utilities
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334-5701
tbond@psc.ga.gov

Mr. Steven Hewitson
Mr. Joshua Combs
Mr. Brandon Marzo
Ms. Allison Pryor
Troutman Pepper Locke LLP
Bank of America Plaza
600 Peachtree Street, NE
Suite 3000
Atlanta, Georgia 30308
Steven.hewitson@troutman.com
Josh.combs@troutman.com
Brandon.marzo@troutman.com
Allison.pryor@troutman.com
Counsel for Georgia Power

Ms. Jennifer Whitfield
Mr. Sherrier
Southern Environmental Law Center
10 10th St., Suite 1050
Atlanta, Georgia 30309
jwhitfield@selc.org
bsherrier@selc.org
Counsel for Petitioners

This 12th day of August 2026.

GALLOWAY & LYNDALL, LLP
Counsel for VoltaGrid, LLC

/s/ Newton M. Galloway
Newton M. Galloway
Georgia Bar No.: 283069

/s/ Terri M. Lyndall
Terri M. Lyndall
Georgia Bar No.: 462235

The Lewis Mills House
406 North Hill Street
Griffin, GA 30223
(770) 233-6230 telephone
(770) 233-6231 facsimile
ngalloway@gallyn-law.com

BECK, OWEN & MURRAY
Counsel for VoltaGrid, LLC

/s/ David E. Penland
David E. Penland
Georgia Bar No.: 636376

One Griffin Center
100 S. Hill Street, Suite 600
Griffin, GA 30223
(770) 227-4000 telephone
(770) 229-8524 facsimile
dpenland@beckowen.com