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## MEMORANDUM

TO: Snapping Shoals EMC Board of Directors

CC: Frank Askew; Mike Milligan; and Laura French, Esq.

FROM: Steven T. Minor, Moderator

DATE: May 17, 2023

RE: **Public Utility Regulatory Policies Act (PURPA) Report**

This Report is submitted pursuant to Rule 9(c) of Snapping Shoals EMC's ("Snapping Shoals") Rules for Conducting Proceedings Required by the Public Utility Regulatory Policies Act of 1978 (as amended by the Infrastructure Investment and Jobs Act of 2021) (the "PURPA Manual"). The PURPA Manual was adopted by Snapping Shoals' Board to establish the procedures applicable to the Board's consideration of the PURPA standards, including the conduct of the public hearing held on May 9, 2023.

On May 9, 2023, I presided as the Moderator of the PURPA hearing held at the Locust Grove Recreation Center Auditorium at 10 Cleveland Street, Locust Grove, Georgia. At just prior to 12:00 p.m., Snapping Shoals' staff established a reception area just outside the auditorium for the registration of persons desiring to participate in the PURPA public hearing, convened for the purpose of collecting information to be used in the consideration by Snapping Shoals' Board of Directors of the two "standards" set forth in 16 U.S.C.A. § 2625(d)(20) & (21). Snapping Shoals representatives were present, including its COO, Frank Askew; its EVP, Mike Milligan; and its PURPA Compliance Officer, Sarah Nichols. Snapping Shoals was represented at the hearing by Attorney Laura French.

At 1:00 p.m., the Hearing was formally convened. As several persons had sign-up to make a limited appearance and were present, I asked if any of them desired to make a statement on the record or to otherwise present evidence relevant to either of the standards under consideration. No one wished to participate at that time, so I asked that Ms. French present her first witness.

Ms. French called Ms. Nichols as her first witness, and Ms. Nichols was sworn in, and asked to present proof that notice of the Hearing had been provided. Her testimony clearly indicated that extensive and comprehensive efforts were made by Snapping Shoals to provide notice of the PURPA proceedings by multiple means, and that notice was provided in compliance with the Act and the PURPA Manual. Ms. Nichols also identified copies of the

various forms of notice that were provided to Snapping Shoals' members. She identified copies of each method of notice to the public, which were then designated as numbered exhibits, which I entered into the Hearing record. (Exhibit 1, Notices--Lobby Posting; 1<sup>st</sup> Class Mailing to all members; and Website Posting.) She also identified a copy of the notice provided by mail to the U.S. Secretary of Energy, which was marked as Exhibit 2 and was also admitted into the Hearing record. Ms. Nichols testified that a Notice of Intervention was filed by Brian Anthony, in accordance with Rule 4 of the PURPA Manual. The Notice of Intervention was admitted into the Hearing record as Exhibit 3. Ms. Nichols also mentioned that several persons had signed in to make a limited appearance in accordance with Rule 5, and that Ms. Tina Kitchens, a Central Georgia EMC employee, was assisting with registration and would remain there until the conclusion of the hearing should additional persons wish to participate.

Ms. Nichols testified that as Snapping Shoals EMC's PURPA Officer, she was familiar with the PURPA Manual, that a copy had been posted on Snapping Shoals' PURPA website, and she identified a copy of the PURPA Manual, which was marked as Exhibit 4 and admitted into evidence. Ms. Nichols also testified that to the best of her knowledge, Snapping Shoals had complied with all Rules set forth in the PURPA Manual.

I then called for formal parties desiring to enter testimony into the record of the Hearing. It was noted that Mr. Brian Anthony had not appeared at the hearing, and had notified Mr. Askew that he would be unable to attend. So I asked Ms. French to present witnesses appearing on behalf of Snapping Shoals EMC. Ms. French called Mr. Brian Toole to the witness stand, and he was sworn in. Mr. Toole, Director with Energy Consulting Group, an energy management firm, testified that he worked with Snapping Shoals staff to develop Snapping Shoals' testimony with regard to Electric Vehicle Charging Programs, 16 U.S.C. § 2621(d)(21) of the PURPA standards. Mr. Toole's testimony was identified by Mr. Toole and admitted into the record without objection as Exhibit 6.

Ms. French then called Mr. David Purcell to the witness stand, and he was sworn in. Mr. Purcell, Director of Energy Market Forecasting with Energy Consulting Group, an energy management firm, testified that he worked with Snapping Shoals staff to develop Snapping Shoals' testimony with regard to Demand-Response Practices, 16 U.S.C. § 2621(d)(20) of the PURPA standards. Mr. Purcell's testimony was identified by Mr. Purcell and admitted into the record without objection as Exhibit 7.


Snapping Shoals then called to the witness stand Tina Kitchens, who had staffed the registration desk continuously since prior to 12:00 p.m. Ms. Kitchens was sworn in and testified that no one had signed up to participate in the hearing. Blank registration sheets for both Formal Parties of Record and Limited Appearances were entered into the Hearing record as Exhibit 8.

At the conclusion of Ms. Kitchens' testimony, I asked if anyone present had any additional testimony or other evidence to enter into the record of the Hearing. There being none, the Hearing was concluded at approximately 12:20 p.m.

The proceeding was taken down by certified court reporter, Ms. Collette Jackson.

This concludes the Moderator's report.

Respectfully submitted, this 17<sup>th</sup> day of May, 2023.

  
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STEVEN T. MINOR  
Moderator