



GPSC News



Making Business and Safety Decisions Affecting Tomorrow

Volume 3 Issue 3

Winter 2004

- *Serves one year term
- *Former State Legislator
- *Former Albany City Commissioner
- *Cordele native

Everett Takes Helm As Commission Chairman

In this issue

Commission Works Through budget Crunch	2
New marketer Enters Georgia Market	2
SCANA Completes Energy America Deal	2
Wise Elected NARUC President	3
Commission Approves Grant for Low Income Assistance	3
Power Line Legislation Heads to the Governor	4
Commission Approves Consent Agreement with Atlanta Gas Light	4
BellSouth Challenges Commission Rulings	5
Commission Honors Outgoing DHR Head	6
Commission Sponsors Legislation to Revise Call Before You Dig Law	6
Employee News	7
Food Drive Success	7
Commission Calendar	8
State Holidays	8

Commissioner **Doug Everett** will serve as chairman of the Commission during 2004. Commissioner Angela Speir will serve as Commission Vice-Chairman.

A native of Cordele, Georgia, Commissioner Doug Everett is the first Republican elected to the Commission from Southwest Georgia. He was elected to the Georgia House from Albany in 1996 and served three terms before his election to the Commission in 2002. As a State Representative, he served on the House Industry Committee and the Subcommittee on Utilities.

Commissioner Everett was



born in Cordele, Georgia but moved to Sylvester where he graduated from high school. He entered Georgia Tech but later transferred to Georgia Teachers College (now Georgia Southern University) and majored in

math. After moving to Albany, Commissioner Everett first worked for Albany First Federal Savings and Loan before starting his own business in 1974, Southern Appraisal Company that specializes in appraising large commercial and industrial properties. In 1980, he received his MAI appraisal, the highest appraisal designation one can receive.

Prior to serving as a legislator, Everett served on the Albany Zoning and Planning

(Continued on page 2)

Commission Approves Stipulation to Resolve Issues with Energy America

The Commission on January 6 unanimously approved a stipulation to resolve issues with natural gas marketer Energy America, LLC (Company) regarding improper disconnections of customers' natural gas service. These disconnections resulted from the Com-

pany's failure to properly fund and to pay a credit payments from the \$125 credit to each Low Income Home Energy customer who was Assistance Program wrongly disconnected. (LIHEAP) to at least 54 In addition, the Company must also pay each customer \$5 for each day they were disconnected. The terms of the stipulation require the Company to pay \$54,000 into the state administered LIHEAP

(Continued on page 2)

Commission Works to Address Budget Crunch



The Commission is working through the state's budget crunch just like other state agencies while trying to stave off even deeper cuts and still provide the best value to both consumers and ratepayers. In the 2005 Fiscal Year Budget, the Commission has taken budget cuts of 7.5% after cutting 2.5% from this year's current budget. The proposed cuts would be in contracts, under the Georgia No Call Program, travel and motor vehicle purchases. However, the Governor's FY 2005 Budget went even further, cutting an additional \$200,000 in personal services, travel and motor vehicle purchases.

The Senate responded to the Commission's request and restored more than \$182,000 in cuts the House took in the FY 2004 amended budget. This budget has passed both House and heads to a conference committee which will work out the differences.

Meanwhile, work continues on the FY 2005 budget. At press time the budget was still in the House Appropriations Committee.

Leaders in both chambers hope to finish the session by April 2.

If you have a story for the next GPSC News, please send to Bill Edge, bille@psc.state.ga.us. Next issue deadline is April 15, 2004.

Georgia Power and Savannah Electric have filed their 2004-2007 Integrated Resource Plans (IRP) with the Commission. These plans outline the utilities' proposed plans to ensure that their customers have enough electricity to meet projected demands. The Commission has scheduled hearings on the combined IRPs for May 25-27, 2004 and June 15-16, 2004. The Commission will issue its decision in this matter during its regular Administrative Session on July 6, 2004.

(Continued from page 1)

Board of Appeals, the Board of Tax Assessors and three terms on the Albany City Commission, including two years as Mayor Pro Tem.

Everett is married to Janice Perry Johnson of Montezuma. The couple has three grown children, Mitch, Mike and Denice Delk, and three grandchildren. Everett belongs to the Rotary Club and is a former member of the Sylvester JAYCEES and the Sylvester Kiwanis Club.

New Marketer Enters Georgia

Vectren Sources, an Indiana-based natural gas marketer, filed February 20 for a natural gas marketer certificate. Vectren's regulated energy delivery subsidiaries provide gas and/or electricity to nearly one million customers in adjoining service territories that cover nearly two-thirds of Indiana and west central Ohio. Vectren's non-regulated subsidiaries and affiliates currently offer energy-

related products and services to customers throughout the Midwest and Southeast. These include gas marketing and related services; coal production and sales; utility infrastructure services; and broadband communication services. Vectren supplies natural gas to nearly 100,000 customers in Ohio and Indiana.

(Continued from page 1)

The total amount of these payments is \$60,750. However, if the Commission identifies additional Energy America customers who were disconnected in error, the stipulation requires the Company to make an additional \$1,000 payment to LIHEAP for each customer. These payments could raise the overall amount the Company will be required to pay under this stipulation.

SCANA Completes Energy America Deal

SCANA Energy, the Atlanta-based subsidiary of SCANA Corp., has completed its acquisition of 50,000 retail natural gas customers formerly served by Energy America. Terms of the transaction were not disclosed. The Commission has voted to retain SCANA Energy as the state's sole regulated

natural gas provider, extending the two-year term of SCANA Energy's Regulated Division for at least another year through August 2005. SCANA Energy now has in more than 450,000 customers throughout Georgia, including more than 52,000 low-income and high credit risk customers.



Commission Approves \$6 Million Grant for Low-Income Natural Gas Assistance

The Commission January 3 unanimously approved the disbursement of \$6 million to the Department of Human Resources (DHR) to provide grants to assist low-income senior citizens and other low-income citizens in the payment of natural gas heating bills during this winter heating season. Commissioner David Burgess, who sponsored the proposal, said, "There is a continuing need for this assistance as the cold weather approaches in order to help pay natural gas bills. Since the beginning of November 19,000 households have contacted

DHR requesting assistance". Commissioner Angela Speir said that she was concerned to learn during recent meetings with other support agencies that the population of eligible participants continues to grow due to the economic conditions in our area. Chairman Robert Baker added that the Commission has provided a total of \$9 million dollars this year to federal LI-HEAP funding to further assist Georgia residents. Commissioners Stan Wise and Doug Everett also voted in favor of the proposal.

Three million dollars of the disbursement would be targeted

for low-income seniors (65 years and older) while the remainder would be used for other low-income consumers. Applicants must be qualified through the federal Low Income Heat Energy Assistance Program (LIHEAP), administered by DHR, in order to receive the funds. The monies will be disbursed from the Universal Service Fund (USF), a trust fund administered by the Commission to be used primarily to provide assistance to low-income citizens in paying their natural gas heating bills.

Commissioner Stan Wise Elected President of National Utility Regulators Group

Commissioner Stan Wise is serving a full one-year term as President of the National Association of Regulatory Utility Commissioners (NARUC). Wise was elected President during the association's Annual Convention held in Atlanta November 16-19, 2003. More than 1,200 people including regu-



lators, staff, consumer, public interest groups, energy professionals and industry representatives attended. The four-day convention pumped

more than \$1 million into the metro Atlanta economy. Wise has been acting President since August after NARUC President David Svanda of the Michigan Public Service Commission stepped down. NARUC is a non-profit corporation founded in 1889.

Wise Appears Before Senate Committee

Commissioner Stan Wise Feb. 24 told the Senate Commerce Committee that Voice over the Internet Protocol (VoIP) is a telecommunications service. Both the distinction between "telecommunications service" and "information service" and

whether the Federal Communications Commission decides to broadly classify these services as "interstate" are critical for state regulators as the FCC considers three more petitions on VoIP services and prepares notice of proposed rulemaking.

The "information services" and "interstate" classifications could negate any state oversight. As the policy debate develops, look for regulators to focus on the services as well as the underlying technology that delivers them. At stake is state regulators' ability to protect consumers and ensure universal service.

Commission Approves Consent Agreement with Atlanta Gas Light Company



The Commission approved a consent agreement December 16 to resolve issues stemming from the June 23, 2003 accident near Perry Boulevard in northwest Atlanta when a third-party excavator ruptured a 24-inch steel high-pressure natural gas pipeline owned by Atlanta Gas Light Company. The Commission investigation found that gas continued to flow for over four hours from the ruptured pipeline before Company employees finally closed valves to shut

off the gas.

The stipulation requires the Company to pay \$30,000 into the state treasury as well as to absorb the cost of the gas lost during the incident, estimated at \$17,252. In addition, the Company must provide within forty-five (45) days from the date of the Commission's order, a revised Emergency Manual that complies with all state and federal safety regulations. Within sixty (60) days following Commission staff acceptance of the

Manual, the Company must ensure that all supervisors, service center managers and distribution center foreman are trained in the Manual's emergency procedures. The Company must conduct internal emergency simulations to train all Company emergency response employees within three years following the date of the Commission's order.



Atlanta Gas Light Company

Power Line Legislation Heads to Governor

Legislation to provide property owners some minor protection from utilities that want their land for power lines is now awaiting Governor Sonny Perdue's signature. HB 373 won final approval from the House January 29. In the Senate a side dispute over Senate rules and political accusations brought two lawmakers nose to nose and ap-

parently close to blows.

"It's laws and sausage, and today we made sausage," said Sen. President Pro Tem Eric Johnson (R-Savannah). Johnson was referring to the day's debate that featured confusion over chamber rules, technical problems, angry accusations

and raw feelings.

By the time the amended House Bill 373 passed the Senate 35-5, to return to the House, several of the 56 senators had left Atlanta for home and the holiday weekend.

The bill spells out how utility companies would have to notify property owners before they could take their land for power lines. It also dictates



that the utilities must sell the land back to the original property owners, at fair market value, if it is not used within 12-15 years after it is taken.

The bill that passed bore little resemblance to what was initially introduced in the House last year. But sponsors of the Senate version said that the bill is a "first step" and that the feature

advocates most wanted --- state oversight of all utility condemnations --- is too expensive now.

The bill's final passage marked the end of two years of efforts by the homeowners' group known as HOPE (Homeowners Opposed to Powerline Encroachment) to pass legislation dealing with the electric utilities' power of eminent domain. At least two other bills giving

the Commission the power to require utilities to prove the necessity of any proposed electric transmission lines have languished in committees. The Commission says such bills would require an enormous expansion of Commission personnel and state funding. HOPE supporters say they will be back in the 2005 session.

BellSouth Challenges Commission Rulings



BellSouth Telecommunications is challenging two commission decisions on both the federal and state court level. BellSouth is filing a Petition for Judicial Review against the Commission in Docket No. 11901-U. In this case, MCI asserted that Bell violated its interconnection agreement and state law by refusing to sell DSL to customers when the customer chooses MCI to provide local phone service via UNE platform. The Commission also voted February 17 that BellSouth

has not acted in "good faith" in its negotiations with AT&T by failing to provide the company with lowered network rates according to the Commission's June 24, 2003 order. After the Commission's March 2003 order in the network access issue, BellSouth did not lower its rates until the Commission issued its order on June 24, 2003.

BellSouth filed its suit last October over the Commission's decision saying the Commission used illegal methods in deciding the new rates.

On March 2, a federal court in

Washington, D.C. struck down new federal rules that let the states decide whether BellSouth and other big U.S. local-telephone companies must continue to give rivals discounted network access to foster competition in the \$128 billion local-phone market. The panel of judges ruled 3-0 to strike down Federal Communications Commission regulations issued in August that delegate authority to the states to set prices for the networks. The judges delayed their decision from taking effect for at least 60 days pending further appeals.

Court Upholds Federal Do Not Call List

A federal appeals court upheld the government's do not call registry, dismissing telemarketers' claims that it violates free speech rights and is unfair because it doesn't apply to charitable or political solicitations. In an anxiously awaited opinion, the 10th U.S. Circuit Court of Appeals called the registry "a reasonable fit."

"We hold that the do-not-call registry is a valid commercial speech regulation because it directly advances the government's important interests in safeguarding personal privacy and reducing the danger of telemarketing abuse without burdening an excessive amount of speech," the court said.

The do-not-call registry, which took effect in October, contains more than 57 million phone numbers.

The appeals court overturned U.S. District Judge Edward Nottingham of Denver, who said the list violated the telemarketing industry's free-speech rights by barring calls from businesses but not

charities.

"As a general rule, the First Amendment does not require that the government regulate all aspects of a problem before it can make progress on any front," the ruling said. The court also said there was no evidence suggesting charitable or political callers were nearly as troublesome as general telemarketing calls.

The registry "offers consumers

a tool with which they can protect their homes against intrusions that Congress has determined to be particularly invasive," the court said.

"Just as a consumer can avoid door-to-door peddlers by placing a 'No Solicitation' sign in his or her front yard, the do-not-call registry lets consumers avoid unwanted sales pitches that invade the home via telephone," the court said.

"We are convinced that the First Amendment does not prevent the government from giving consumers this option."

Industry officials have said they expect about 2 million of their 6.5 million workers will lose their jobs within two years if the courts uphold the do-not-call telemarketing rules.

PSC Adopts Resolution for DHR Commissioner Jim Martin



The Commission adopted a resolution November 4, 2003 commending former DHR Commissioner Jim Martin for his leadership of the Department of Human Resources (DHR) and his support of the partnership that was formed when the Commission designated DHR as the agent to administer grant programs to aid low-income consumers.

When the Commission adopted the resolution, DHR had administered \$12 million in grants to 43,500 low-income households. The Commission has since approved another grant of \$6 mil-



lion on December 2, 2003.

DHR also played a major role in the natural gas Regulated Provider program, providing statewide oversight of the qualification processes at community action agencies throughout Georgia. More than 23,500 households have been qualified to receive service from the Regulated Provider since September 2002. Commission Chairman Robert Baker, accompanied by Commissioner Angela Speir and

Consumer Affairs Director Cynthia Johnson, presented the resolution to former Commissioner Martin at the January 14, 2004, quarterly meeting of the Heat Energy Assistance Team (H.E.A.T.), a non-profit organization that solicits donations from consumers, energy providers, and other corporations and distributes these funds through the Low-income Home Energy Assistance Program.

Atlanta Gas Light Company has filed its 2004-2007 Capacity Supply Plan with the Commission. The plan details the Company's proposal to make gas available on its system for firm service to retail customers.

The Commission will hold hearings on the plan on August 30 and 31, 2004. The Commission is scheduled to issue its decision in this issue during a Special Administrative Session on September 27, 2004.

Commission Sponsors Legislation to Revise Call Before You Dig Law

Legislation to amend the Call Before You Dig Law is now before a Senate committee following its overwhelming approval in the House. The House passed the HB 1352 137-25 sending it on to the Senate. HB 1352 would require

cities and counties to pay fines and penalties if they violate provisions of the law. The bill has the support of utility excavators, contractors, the Utility Protection Center and utility companies.

Other Commission-sponsored bills include HB 1354 and HB 1356, currently before the House Public Utilities Committee.



Employee News

Candy Roland Will Take Part in Mrs. Georgia Pageant

Candy Byrd Roland, Assistant to Commissioner Angela Speir, has been selected to represent Atlanta in the Mrs. Georgia Pageant to be held on Sunday, April 4, at the Gwinnett Performing Arts Center. The pageant will consist of a 30 minute interview (panel plus one on one) which will account for 50% of the overall score; swimsuit and evening gown competition will each account for 25% of the overall score. There will be an on-stage interview for the top 10 contestants. The new Mrs.



Georgia will compete in the 2004 Mrs. United States Pageant, which is nationally televised from Las Vegas in early August. Candy resides in Dacula, Geor-

gia. She is a graduate of the University of Georgia where she earned a BS in Consumer Journalism. She stays very busy as a wife to Bryant and mother to Grant, age 4. Not only is she the Assistant to Commissioner Speir, but she is also the University of Georgia Redcoat Band Auxiliary Coordinator and an established baton and dance Choreographer and Instructor.

Retirement

Best Wishes to Ralph Trammell who retired from the Commission November 20 following 20 years of service. Ralph began work with the Commission October 1, 1985. During his tenure at the Commission he held various which included Rates and Tariff Specialist in the Transportation Division, Rates and Tariffs Specialist in the Utilities Division and Utilities Analyst II.



Ralph and his family members accept best wishes for his retirement from Utilities Director Tm Bond and Telecom Director Leon Bowles

Congratulations to Gigi McGhee who delivered a son on Saturday, February 28, 2004 at 8:43 p.m. His name is Princeton. He weighed 5 lbs. 2 oz. and was 17 inches long. Both mother and son are doing well. Gigi works in the Utility Finance Section.



Commission Project Overcoat Drive Successful

Many thanks again this year to Commission staff for making the Commission's annual Project Overcoat Collection a success. Coordinator Helen O'Leary says, "When I took them to Lowe's I had so many items that I had to get a large dolly to

haul them into the store because a shopping cart would have been too small! I was touched that some of the coats and jackets were donated as ones right off the backs of staff members! Other people went out and actually ought blankets to donate.



Commission News



Georgia State Holidays For 2004

News Year's Day	January 1
Martin Luther King, Jr. Birthday	January 19
Confederate Memorial Day	April 26
Memorial Day	May 31
Independence Day	July 5
Labor Day	September 6
Columbus Day	October 11
Veterans Day	November 11
Thanksgiving	November 25
Robert E. Lee Birthday	November 26
Christmas	December 24
President's Day	December 23

Commission Calendar



March

2-Administrative Session
11-Committees
16-Administrative Session

April

1-Committees
6-Administrative Session
15-Committees
20-Administrative Session
26-Confederate Memorial Day
29-Committees

May

4-Administrative Session

Commission Calendar

13-Committees
18-Administrative Session
25-IRP Hearing
27-Committees
31-Memorial Day

June

1-Administrative Session
10-Committees
15-Administrative Session
15-16-IRP Hearings

NARUC

Winter Meeting

March 7-10, 2004
Washington, D.C.

Summer Meeting

July 11-14, 2004
Salt Lake City, Utah

Annual Convention

November 14-17, 2004
Nashville, Tennessee

GPSC ONLINE:

www.psc.state.ga.us



The Public Information Office publishes GPSC News for the Georgia Public Service Commission. Information for GPSC News should be sent to: Bill Edge, 244 Washington St. S.W., Atlanta, Ga. 30334. Discussion of regulatory matters in this newsletter should not be construed as legal interpretations of orders or

COMMISSIONERS

H. Doug Everett, Chairman

Angela E. Speir

David L. Burgess

Robert B. Baker, Jr.

Stan Wise

