

Supreme Court opinion written by Chief Justice Warren Burger was not too clear. Michael's hand shot up. "That opinion you were talking about yesterday written by Chief Justice Burger," Michael started, "I don't think it's unclear at all. This is what he meant when he wrote those words." Michael then went on to explain.

The professor responded, "Well, Mr. Hollis, that's very good, but I must warn you that you should never pass your

talk of the man of action who when facing two truths will always accept the truth from which action springs. Michael was that man of action. He never suffered from analysis paralysis. He would do his homework, prepare and then at the right moment spring into action.

So my young family moved from New York to Atlanta. Each morning when Michael and I were in town, our day

reasons why such an investment made sense. Ultimately, I believe, the investment was made because Michael bonded with one of the key decision-makers whose father had been a World War II aviation ace, a hero. Michael appealed to the executive that his father would certainly be proud of him for supporting this historic aviation venture represented by Michael's airline.

Michael's passion was raising money

*who strives valiantly ... who knows the great enthusiasms, the great devotions, and spends himself in a worthy cause; who, at best, knows the triumph of high achievement; and who, at worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat."*

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## When an adverb is worth \$3.2 million

**Q**uestion: When is an adverb worth \$3.2 million? Answer: When the Georgia Public Service Commission is voting on fuel cost recovery cases involving Georgia Power. And in this particular fuel case, the two of us teamed up to try to save consumers \$3.2 million, but fell one vote short of the needed majority. Here's how it happened.

First, the adverb in question here is the word "clearly" as used in "clearly imprudent." Georgia law allows expenses related to electric service outages to be charged to Georgia Power's stockholders instead of ratepayers — if the Commission deems the outages to be "clearly imprudent." In other words, Georgia Power absorbs the costs that the Commission considers "clearly imprudent." Fortunately, this rarely happens because Georgia Power is recognized

worldwide for their excellent plant operations.

Not surprisingly, many people we speak with across the state think that the Public Service Commission is too soft on Georgia Power, but as constitutional officers, much like judges, we are under an obligation to follow the law — regard-

less of our personal opinion. We have legal proceedings on just about every matter we vote on — which includes testimony, cross-examination and public input. But in the end, the five statewide elected PSC commissioners must make a decision, and we don't always agree.

Such was the case recently when the PSC considered three outages at our nuclear power plants that resulted in an additional \$3.2 million in fuel replacement costs. After hours and hours of listening to the testimony and reading

briefs, the two of us believed that the outages were clearly imprudent.

One of our colleagues, Commissioner Doug Everett, believed the outages to be imprudent saying in the final hearing, "It was imprudent, I'll give you that. But it wasn't clearly imprudent and that is what we must determine." Everett went on to point out that our independent evaluator, Dr. William Jacobs, stated under oath that he could not distinguish between the two — imprudent and clearly imprudent — in this situation.

Commissioner Everett pointed out the dilemma that the one person representing the Public Service Commission — our "expert" — was unable to distinguish between the two very different standards when asked under oath. "How can I call something clearly imprudent when the only information I have on the subject comes from Jacobs, our expert," said Everett.

That distinction is a fine line, but one that the legislature set for us — so we must take it seriously. As in any legal case, decisions often hinge on judgment — which is

what voters elected us to do. In the end, we just disagreed with our colleagues.

Here is the good news despite our feisty debate over the \$3.2 million: Because of a motion by Commissioner Eaton, unanimous commission action and lower natural gas prices, electricity rates are down in the month of June. Consumers could potentially save even more money by signing up for Georgia Power's "Nights and Weekends" time of use rates. This elevates your rate between 2 p.m. and 7 p.m. each business day, but drastically lowers it at all other times.

Finally, know that all five of the commissioners are at your service and happy to communicate with you via phone, email or in person.

One thing is clear though — Georgia consumers benefit from the easy access to commissioners because we are only one of 12 states that elect our Public Service Commission. We look forward to hearing from you.

**McDonald and Echols** are two of Georgia's statewide elected Public Service Commissioners.



**VIEWPOINT**  
**Tim Echols and Bubba McDonald**