

LAW OFFICES  
**TISINGER VANCE, P.C.**  
100 WAGON YARD PLAZA  
CARROLLTON, GEORGIA 30117

DIRECT DIAL AND E-MAIL ADDRESS:

RTISINGERSR@TISINGERVANCE.COM  
(770) 214-5101

WWW.TISINGERVANCE.COM

TELEPHONE: (770) 834-4467  
FAX: (770) 834-5426

ROBERT D. TISINGER  
1909-1991

## MEMORANDUM

TO: Sawnee EMC Board of Directors

CC: Michael Goodroe; Matthew Bottoms, Esq.; Blake House

FROM: Richard G. Tisinger, Sr., Moderator

DATE: May 18, 2023

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

This Report is submitted pursuant to Rule 9(c) of Sawnee EMC's 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 Sawnee EMC's 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 Sawnee EMC's headquarters in Cumming, Georgia. At just prior to 8:00 a.m., Sawnee EMC staff opened its auditorium and reception area for 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 Sawnee EMC's Board of Directors of the two "standards" set forth in 16 U.S.C.A. § 2625(d)(20) & (21). Sawnee EMC representatives were present, including Sawnee EMC's CEO, Michael Goodroe; its PURPA Compliance Officer, Blake House; and its employee Mandy Love. Sawnee EMC was represented at the hearing by Attorney Matthew Bottoms.

At 9:00 a.m., the Hearing was formally convened. Mr. House was called as a witness, sworn in, and presented proof of notice of the Hearing. His testimony clearly indicated that extensive and comprehensive efforts were made by Sawnee EMC to provide notice of the PURPA proceedings by multiple means, and that notice was provided in compliance with the Act and the PURPA Manual. Mr. House also identified copies of the various forms of notice that were provided to Sawnee EMC's members. He 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, Website Posting; Exhibit 2, Lobby Posting; and Exhibit 3, Newsletter mailed 1<sup>st</sup> Class Mailing to all members.) He also identified a copy of the notice provided by mail to the U.S. Secretary of Energy, which was marked as Exhibit 4 and was also admitted into the Hearing

record. Mr. House also testified that no one (other than Sawnee) had intervened in the Hearing to participate as a formal party of record in accordance with Rule 4 of the PURPA Manual, and that as of the time of his testimony, one person, Mr. Robert Shurtz, had signed in to make a limited appearance in accordance with Rule 5. Mr. House testified that as Sawnee EMC's PURPA Officer, he was familiar with the PURPA Manual, that a copy had been posted on Sawnee EMC's PURPA website, and he identified a copy of the PURPA Manual, which was marked as Exhibit 5 and admitted into evidence. Mr. House also testified that to the best of his knowledge, Sawnee EMC had complied with all Rules set forth in the PURPA Manual.

I then asked if Mr. Shurtz wanted to make a statement on the record. Mr. Shurtz spoke about his concern to have clearer policies regarding charging stations for electric vehicles.

I then called for formal parties desiring to enter testimony into the record of the Hearing. Mr. Bottoms announced that he was prepared to present testimony on behalf of Sawnee EMC. Mr. Bottoms called Mr. Joshua Warmack to the witness stand, and he was sworn in. Mr. Warmack, Vice President and Managing Partner of EnerVision, Inc., a utility consulting firm, testified that he worked with Sawnee EMC staff to develop Sawnee EMC's testimony with regard to the two relevant PURPA standards:

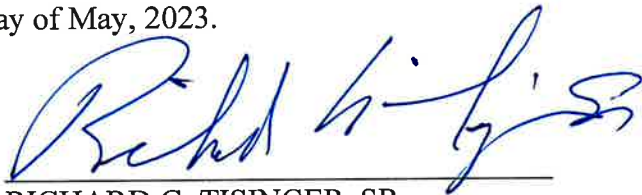
1. Demand-Response Practices, 16 U.S.C. § 2621(d)(20); and
2. Electric Vehicle Charging Programs, 16 U.S.C. § 2621(d)(21).

Mr. Warmack's testimony was identified by Mr. Warmack and admitted into the record without objection as Exhibit 7.

Sawnee EMC then called to the witness stand Ms. Mandy Love, who had staffed the registration desk continuously since prior to 8:00 a.m. Ms. Love was sworn in and testified that during the registration period, no one had signed up to participate as a formal party, and one person had signed the limited appearance sign-in sheet—Mr. Robert Shurtz. The sign-in sheets were entered into the Hearing record as Exhibits 6 and 8. At the conclusion of Ms. Love's 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 10:05 a.m. The proceeding was taken down by certified court reporter, Ms. Robyn M. Sharp.

This concludes the Moderator's report.

Respectfully submitted, this 18<sup>th</sup> day of May, 2023.



RICHARD G. TISINGER, SR.  
Moderator