

LAW OFFICES
TISINGER VANCE, P.C.
100 WAGON YARD PLAZA
CARROLLTON, GEORGIA 30117
WWW.TISINGERVANCE.COM

DIRECT DIAL AND E-MAIL ADDRESS:
(770) 214-5108
CELL (770) 841-2854
SMINOR@TISINGERVANCE.COM

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

ROBERT D. TISINGER
1909-1991

MEMORANDUM

TO: Carroll EMC Board of Directors

CC: Tim Martin, Jerome Johnston

FROM: Steven T. Minor, Moderator

DATE: July 27, 2023

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

This Report is submitted pursuant to Rule 9(c) of Carroll 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 Carroll 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 July 20, 2023.

On July 20, 2023, I presided as the Moderator of the PURPA hearing held at Carroll EMC's headquarters in Carrollton, Georgia. At just prior to 8:00 a.m., Carroll 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 Carroll EMC's Board of Directors of the two "standards" set forth in 16 U.S.C.A. § 2625(d)(20) & (21). Carroll EMC representatives were present, including Carroll EMC's Chief Operating Officer, Jerome Johnston, its PURPA Compliance Officer, Heather Whisenhunt, and Director Don DeFoor.

At 9:00 a.m., the Hearing was formally convened. Ms. Whisenhunt was called as a witness, sworn in, and presented proof of notice of the Hearing. Her testimony clearly indicated that extensive and comprehensive efforts were made by Carroll 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. Ms. Whisenhunt also identified copies of the various forms of notice that were provided to Carroll EMC's members, which were then designated as Exhibits and were entered into the Hearing record. She also identified a copy of the notice provided by mail to the U.S. Secretary of Energy, which was marked as an Exhibit and also admitted into the

Hearing record. Ms. Whisenhunt also testified that no one (other than Carroll EMC) 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 her testimony, no one had requested to make a limited appearance in accordance with Rule 5. Ms. Whisenhunt testified that as Carroll EMC's PURPA Officer, she was familiar with the PURPA Manual, and she identified a copy of the PURPA Manual, which was marked as an Exhibit and admitted into evidence. Ms. Whisenhunt also testified that to the best of her knowledge, Carroll EMC 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. Mr. Joshua Warmack, who has prepared testimony on behalf of Carroll EMC, approached the stand, and he was sworn in. Mr. Warmack testified that he had worked with Carroll EMC staff to develop Carroll 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 pre-filed written testimony was identified by Mr. Warmack and admitted into the record.

Carroll EMC then called to the witness stand Ms. Heather Young, who had staffed the registration desk continuously since prior to 8:00 a.m. Ms. Young was sworn in and testified that no one had signed up to participate in the Hearing other than Mr. Warmack. A blank registration sheet for Limited Appearances was marked as an Exhibit and entered into the Hearing record, as was the sign-in sheet for Formal Parties of Record with Mr. Warmack's signature. At the conclusion of Ms. Young'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 9:15 a.m. The proceeding was taken down by certified court reporter, Ms. Kara Barger.

This concludes the Moderator's report.

Respectfully submitted, this 27th day of July, 2023.



STEVEN T. MINOR
Moderator