

The Senate Committee on Regulated Industries and Utilities offered the following substitute to SB 34:

MOOT

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 46 of the Official Code of Georgia Annotated, relating to the
2 Public Service Commission, so as to prohibit certain costs incurred by an electric utility as
3 a result of providing electric services to commercial data centers from being included in any
4 rates or charges of such electric utility unless such rates or charges are designed to recover
5 such costs solely from such commercial data centers or are prorated based on electric
6 demand; to provide for a definition; to provide for related matters; to provide for an effective
7 date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 2 of Title 46 of the Official Code of Georgia Annotated, relating to the Public
11 Service Commission, is amended by adding a new Code section to read as follows:

12 "46-2-25.4.

13 (a) Notwithstanding the provisions of Code Section 46-3-11, no costs incurred by an
14 electric utility, including, but not limited to, costs associated with increased fuel
15 requirements, generation costs, and transmission costs that:

16 (1) Are related to the provision of electric services to commercial data centers; and

17 (2) Would not have been incurred but for the electric demand of such commercial data
18 centers,
19 shall be included in any rates or charges approved or allowed to go into effect under Code
20 Section 46-2-25 or 46-2-26 unless such rates or charges are designed to recover such costs
21 solely from commercial data centers or are prorated based on electric demand.
22 (b) As used in this Code section, the term 'commercial data center' means a facility,
23 campus of facilities, or array of interconnected facilities in this state that is used by an
24 entity or other business enterprise to operate, manage, or maintain a computer, group of
25 computers, or other organized assembly of hardware and software for the primary purpose
26 of processing, storing, retrieving, or transmitting data and that has a peak demand of 100
27 megawatts or greater."

28 **SECTION 2.**

29 This Act shall become effective upon its approval by the Governor or upon its becoming law
30 without such approval.

31 **SECTION 3.**

32 All laws and parts of laws in conflict with this Act are repealed.