

MOOT

Senator Hufstetler of the 52nd offered the following amendment #1:

1 *Amend the Senate Committee on Regulated Industries and Utilities substitute to SB 94*
2 *(LC 55 0491S) by replacing line 2 with the following:*

3 public transportation, so as to revise provisions relating to the regulation of public utilities;
4 to prohibit certain costs incurred by an electric utility as a result of providing electric services
5 to commercial data centers from being included in any rates or charges of such electric utility
6 unless certain conditions are met; to reestablish a consumer utility counsel to represent
7 consumers

8 *By inserting in between lines 14 and 15 the following:*

9 Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public
10 transportation, is amended by adding a new Code section to read as follows:

11 "46-2-25.4.

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

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

16 (2) Would not have been incurred but for the electric demand of such commercial data
17 centers,

18 shall be included in any rates or charges approved or allowed to go into effect under Code
19 Section 46-2-25 or 46-2-26 unless such rates or charges are designed to recover such costs
20 solely from commercial data centers or are prorated based on electric demand.

21 (b) As used in this Code section, the term 'commercial data center' means a facility,
22 campus of facilities, or array of interconnected facilities in this state that is used by an
23 entity or other business enterprise to operate, manage, or maintain a computer, group of
24 computers, or other organized assembly of hardware and software for the primary purpose
25 of processing, storing, retrieving, or transmitting data and that has a peak demand of 100
26 megawatts or greater."

27 **SECTION 2.**

28 *By replacing lines 15 and 16 with the following:*

29 Said title is further amended by revising Chapter 10, which is reserved, as follows:

30 *By replacing line 123 with the following:*

31 **SECTION 3.**