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## MEMORANDUM

TO: Okefenoke Rural EMC Board of Directors

CC: John Middleton; Patrick Brooks, Esq.

FROM: Steven T. Minor, Moderator

DATE: May 9, 2023

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

This Report is submitted pursuant to Rule 9(c) of Okefenoke Rural EMC's ("OREMC") 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 OREMC'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 2, 2023.

On May 2, 2023, I presided as the Moderator of the PURPA hearing held at OREMC's ("OREMC") headquarters in Nahunta, Georgia. At just prior to 8:00 a.m., OREMC 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 OREMC's Board of Directors of the two "standards" set forth in 16 U.S.C.A. § 2625(d)(20) & (21). OREMC representatives were present, including OREMC's CEO, John Middleton; its PURPA Compliance Officer, Kimi Harris; and its employee Ernie Thomas. OREMC was represented at the hearing by Attorney Patrick Brooks.

At 9:00 a.m., the Hearing was formally convened. Ms. Harris 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 OREMC 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. Harris also identified copies of the various forms of notice that were provided to OREMC's members. She 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, Lobby Posting; Exhibit 2, 1<sup>st</sup> Class Mailing to all members; and Exhibit 3, Website

Posting.) She 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. Ms. Harris also testified that no one (other than OREMC) 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, two persons, Ms. Deborah Reed and Ms. Kathleen Odom, had signed in to make a limited appearance in accordance with Rule 5. Ms. Harris testified that as OREMC's PURPA Officer, she was familiar with the PURPA Manual, that a copy had been posted on OREMC's PURPA website, and she identified a copy of the PURPA Manual, which was marked as Exhibit 5 and admitted into evidence. Ms. Harris also testified that to the best of her knowledge, OREMC had complied with all Rules set forth in the PURPA Manual.

I then asked if Ms. Reed or Ms. Odom wanted to make a statement on the record. They both declined to make a statement.

I then called for formal parties desiring to enter testimony into the record of the Hearing. Mr. Brooks announced that he was prepared to present testimony on behalf of OREMC. Mr. Brooks 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 OREMC staff to develop OREMC'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 6.

OREMC then called to the witness stand Ernie Thomas, who had staffed the registration desk continuously since prior to 8:00 a.m. Mr. Thomas was sworn in and testified that there were three persons who had signed in during the registration period—Deborah Reed, Kathleen Odom, and Joshua Warmack. The sign-in sheets were entered into the Hearing record as Exhibits 7 and 8. At the conclusion of Mr. Thomas'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 9:11 a.m. The proceeding was taken down by certified court reporter, Ms. Joyce Waters.

This concludes the Moderator's report.

Respectfully submitted, this 10<sup>th</sup> day of May, 2023.

  
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STEVEN T. MINOR  
Moderator