

Final Decision and Resolution of the Board  
Jefferson Energy Cooperative  
The Infrastructure Investment and Jobs Act of 2021 – PURPA Standards

**I. Introduction and Background**

This is the Final Decision and Resolution of the Board adopted in compliance with and in satisfaction of the requirements of the Public Utility Regulatory Policies Act of 1978 (“PURPA”), as amended by the Infrastructure Investment and Jobs Act of 2021 (the “Act”);

The Act set forth two standards that covered electric cooperatives must consider. Specifically, electric membership corporations with total annual sales greater than 500,000 MWh must show that they considered adopting policies as to: (1) Demand-response practices, pursuant to 16 U.S.C. § 2621(d)(20)); (2) Electric vehicle charging programs, pursuant to 16 U.S.C. § 2621(d)(21)).

By resolution on September 28, 2022, the Board of Jefferson Energy Cooperative (“JEC”) adopted the Rules and Procedures Governing Conduct of PURPA Hearings (“Rules”). The Rules set forth the deadlines and timetable under which JEC conducted its statutorily required PURPA hearing, as well as the pre-hearing procedures under which eligible persons could intervene and participate as parties. The Rules also set forth the process by which interested persons could appear and comment as public witnesses without the necessity of a formal intervention.

**II. Record of Proceedings**

JEC gave timely notice of the April 19, 2023, public hearing, and of the process for participating as an intervenor or as a non-party public witness, in accordance with the Rules. Notice was published on the Jefferson Energy Cooperative website ([www.jec.coop](http://www.jec.coop)) on October 26, 2022, and has been available on that website since that time. A notice was also published in the December 2022 edition of the Jefferson Energy Cooperative Newsletter, which was sent to all members. A Notice of PURPA Hearing appeared on all JEC front counters and drive-thru windows beginning on January 4, 2023 as well as emailed via Constant Contact to members for the month of December 2022. Copies of these notices were introduced into evidence at the Hearing and made a part of the record. Copies of the Rules were posted on the website of JEC and were made available at the offices of JEC for public inspection. No petitions to intervene were filed.

On April 5, 2023, JEC received the pre-filed testimony of Martha Scott, PURPA Officer for Jefferson Energy, on behalf of the staff of JEC plus four exhibits and the pre-filed testimony of Brent A. Saylor, Principal, GDS Associates, Inc., including exhibits. No other participant pre-filed any testimony or exhibits. Copies of the testimony and exhibits were made available on the JEC website for public inspection.

JEC held a public hearing on April 19, 2023, at the offices of Jefferson Energy Cooperative, 3077 Highway 17 N, Wrens, Georgia. At the hearing, Mrs. Scott, PURPA Officer, and expert witness and consultant, Mr. Saylor, presented their pre-filed testimony, which was accepted into the record. Steven T. Minor presided as the Moderator of the PURPA hearing. Jefferson Energy representatives were present including Jefferson Energy's President & CEO, Chris Dillard, and Wayne Gossage, VP of Energy Services. Jefferson Energy was represented at the hearing by Attorney James T. Jones, Jr. There were no post-hearing filings or submissions. A transcript of the Hearing has been maintained on file on JEC's website, [www.jec.coop](http://www.jec.coop), for review by the public.

The Board has reviewed the record and finds that the Hearing and pre- and post-hearing procedures were duly conducted in accordance with applicable provisions of the Act and the Rules. Consequently, the Board has a sufficient record on which to make a Final Decision as to both statutorily mandated standards.

### **III. Final Decision and Resolution**

The Board has evaluated all record evidence in light of the following PURPA purposes: (1) demand response practices; and (2) electric vehicle charging programs. In view of the PURPA purposes and of the evidence developed at the Hearing, the Board concludes as follows regarding the two new PURPA standards set forth in IJJA 2021 and addressed at the Hearing:

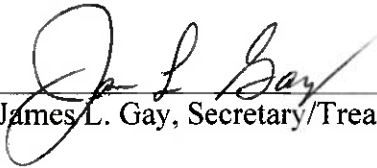
#### **1. Demand Response Practices**

The Board finds that in its determination of the Demand-Response Practices standard that Jefferson Energy, to the extent it is able to do so as an electric distribution utility, has already adopted and will continue to consider programs that promote demand-response practices by commercial, residential, irrigation, and industrial consumers to reduce electricity consumption during periods of unusually high demand.

#### **2. Electric Vehicle Charging Programs**

The Board finds that in its determination of the Electric Vehicle Charging Programs standard that Jefferson Energy, to the extent it is able to do so as an electric distribution utility, Jefferson Energy Cooperative has and will consider measures to promote greater electrification of the transportation sector, subject to such measures appropriately recovering the marginal costs of delivering electricity to electric vehicles and electric vehicle charging infrastructure, which includes continued involvement with the State Legislative body regarding these issues.

The Board having considered the evidence presented at the Hearing in light of the statutory PURPA factors, it is resolved and passed to adopt the above and foregoing resolution as the Final Decision of the Board, this 25th day of October, 2023.

By:  \_\_\_\_\_  
James L. Gay, Secretary/Treasurer

Attest:

 \_\_\_\_\_  
Mark D. Davis., Chairman