

BEFORE THE MISSISSIPPI PUBLIC SERVICE COMMISSION

**MISSISSIPPI POWER COMPANY
EC-120-0097-00**

DOCKET NO. 2021-UA-106

**IN RE: PETITION OF MISSISSIPPI POWER COMPANY FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
AUTHORIZING THE CONSTRUCTION, ACQUISITION,
EXTENSION, OPERATION AND MAINTENANCE OF
TRANSMISSION AND RELATED FACILITIES AND RIGHTS-OF-
WAY IN GEORGE COUNTY, MISSISSIPPI**

ORDER APPROVING PETITION FOR FACILITIES CERTIFICATE

THIS CAUSE came on for consideration by the Mississippi Public Service Commission ("Commission") on the request of Mississippi Power Company (the "Company" or "MPCo") for a certificate that the present and future public convenience and necessity requires or will require the construction, acquisition, extension, operation and maintenance of transmission and related facilities and rights-of-way in George County, Mississippi, as described herein for use in connection with the Company's service to its customers in its certificated areas in the twenty-three (23) counties of southeastern Mississippi. This Commission, being fully apprised in the premises, having considered the documents and record before it, and upon recommendation of the Mississippi Public Utilities Staff ("Staff"), finds that the certificate of public convenience and necessity requested by the Company should be granted, and further finds as follows:

INTRODUCTION

1. As part of its regular planning, MPCo identifies transmission system improvements needed to provide load growth opportunities, maintain and enhance reliability performance, interconnect and provide transmission service for new generation resources, or otherwise respond to physical or regulatory constraints. As a result of this regular planning effort, the Company identified and seeks Commission approval to construct, acquire, extend, operate and maintain the transmission and related facilities and rights-of-way necessary to complete the Transmission Project described below. For the reasons set forth herein, that approval is hereby granted.

APPROVED TRANSMISSION PROJECTS

2. MPCo requests authority from the Commission to construct, acquire, extend, operate and maintain approximately 17.8 miles of transmission facilities necessary to maintain and enhance reliability performance of the Company's transmission facilities and maintain compliance with North American Electric Reliability Corporation ("NERC") standards. Specifically, the Project consists of the rebuilding and reconductoring of the 17.8 miles of MPCo's existing Lucedale – Vestry 115 kV section of transmission line, and the replacement of seventy-one (71) wood poles. By combining these two activities now, MPCo expects to reduce the amount of outage time, and to save mobilization costs, labor costs, and other similar costs of approximately \$1,000,000 that would otherwise be incurred if the projects were undertaken separately. The completion of the Project identified herein is required to address aging infrastructure needs identified as part of MPCo's routine pole

inspection program and address projected transmission line overloads identified as part of MPCo's transmission planning analysis. The completion of the Project will allow MPCo to continue to provide reliable transmission service to its customers and communities and maintain compliance with NERC standards as described herein. MPCo estimates the total cost to construct these facilities at \$18,200,000, and the Project is expected to be completed by December 31, 2022. As noted by MPCo in its Petition, this Project is included in MPCo's 2021 Capital Plan and Energy Delivery Plan filed with this Commission.

PROCEDURAL BACKGROUND

3. The Company filed its Certificate Petition in this docket on June 2, 2021.
4. Notice of the matter was given to all persons interested therein in accordance with Mississippi law by mailing such notice to each public utility which may be affected, as well as by publication on June 21, 2021, in the Clarion Ledger, a newspaper of general circulation in Jackson, Mississippi, and by publication on June 24, 2021, in the George County Times, a newspaper of general circulation in George County, Mississippi.
5. No interested persons intervened in the case and no objection to the Transmission Project was submitted, formally or informally, with the Commission or Staff.
6. On November 2, 2021, the Commission held a public hearing to consider the Petition at which the Company's witness who pre-filed testimony appeared and was available for questioning by the Commission.

7. At the conclusion of the public hearing, the Commission unanimously approved the Company's Certificate Petition as presented and directed Commission Legal Staff to prepare an appropriate Order.

FINDINGS

8. Pursuant to Sections 77-3-11, 77-3-13, and 77-3-14 of the *Mississippi Code of 1972, as amended*, the Commission is equipped with statutory authority to approve applications for certificates of public convenience and necessity. In addition, RP 7 of the Commission's Rules gives effect to these sections by prescribing the filing requirements that must be met by a petitioner seeking a certificate. Under Section 77-3-14(1):

no public utility or other person shall begin the construction of any facility for the generation and transmission of electricity to be directly or indirectly used for the furnishing of public utility service in this state ... without first obtaining from the commission a certificate that the public convenience and necessity requires, or will require, such construction.

When determining whether to grant such certificate, the Commission will:

take into account the utility's arrangements with other electric utilities for the interchange of power, pooling of plant, purchase of power and other methods for providing reliable, efficient and economical electric service.

MISS. CODE ANN. § 77-3-14(3). As a further condition to the issuance of a certificate, the Commission must approve the estimated construction costs for the proposed facility. MISS. CODE ANN. § 77-3-14(4).

9. This Commission has jurisdiction over the parties and subject matter pursuant to Sections 77-3-11 and 77-3-13 of the *Mississippi Code of 1972, as amended*.

10. The Commission further finds that MPCo's Certificate Petition and other supporting information comply with all applicable filing requirements and

Rules of this Commission; to the extent any filing requirement was not fully met in this proceeding the Commission finds good cause to waive such requirement as authorized by the Rules.

11. Upon filing, the Staff conducted its investigation as required by law, and, following this investigation, recommends approval of the project as proposed by the Company in its Petition.

12. The Commission finds that the proposed Transmission Project will serve the public convenience and necessity. The uncontroverted evidence before the Commission indicates that the Transmission Project described herein is in the public interest. In reaching this finding, the Commission has taken into account the utilities' arrangements with other electric utilities for the interchange of power and other methods for providing reliable, efficient and economical service. The Transmission Project is found necessary to relieve line overloads, maintain compliance with applicable NERC standards, accommodate additional growth on MPCo's transmission system in the future, reduce ongoing maintenance expense and improve reliability through the replacement of aging transmission infrastructure.

13. The Commission also finds that the Transmission Project's cost estimates are reasonable and, therefore, are approved.

14. Based upon the foregoing, the Commission hereby approves the certification of the Transmission Project addressed above. The Commission further finds that, to the extent applicable, the Transmission Project shall conform to requirements of the "Hire Mississippi" rule; this specific finding is based upon the

Company's commitment in its Certificate Petition to acquire the materials and provide the labor to construct these facilities in full conformity with the Mississippi Public Utility Act and the Rules of this Commission.

15. For all the foregoing reasons and for all the reasons set forth in this Order, the Commission hereby finds that the public convenience and necessity requires and will require the Transmission Project proposed in the Company's Certificate Petition.

IT IS THEREFORE, ORDERED, that based upon all of the above, including all of the testimony filed in this proceeding and the data request responses submitted by the parties, and as found by this Commission as is more fully described in this order, the public convenience and necessity requires or will require the construction, acquisition, extension, operation and maintenance of transmission and related facilities and rights-of-way in George County, Mississippi. Therefore, the Commission hereby grants Mississippi Power Company a certificate of public convenience for the construction, acquisition, extension, operation and maintenance of transmission and related facilities as described in further detail in the Company's Certificate Petition. It is further,

ORDERED, that the Petition for Facilities Certificate filed in this cause, as provided for herein, be, and is hereby, granted.

This Order shall be deemed issued on the day it is served upon the parties herein by the Executive Secretary of this Commission who shall note the service date in the file of this Docket.

Chairman Dane Maxwell voted aye; Commissioner Brent Bailey voted aye; and Commissioner Brandon Presley voted aye.
SO ORDERED by this Commission on this the 2nd day of November, 2021.

MISSISSIPPI PUBLIC SERVICE COMMISSION



Dane Maxwell
Dane Maxwell, Chairman

Brent Bailey
Brent Bailey, Commissioner

Brandon Presley
Brandon Presley, Commissioner

ATTEST: A True Copy

Katherine Collier
Katherine Collier,
Executive Secretary

Effective this the 2nd day of November, 2021.