

IN THE SUPREME COURT OF ALABAMA

ENERGY ALABAMA	)	
	)	
and	)	CASE NO. 1200218
	)	
GASP,	)	On Appeal from the
	)	Alabama Public
Appellants,	)	Service Commission
	)	Docket 32953
v.	)	
	)	
ALABAMA PUBLIC	)	
SERVICE COMMISSION,	)	
	)	
Appellee.	)	

**AMENDED NOTICE OF APPEAL**  
**TO THE SUPREME COURT OF ALABAMA**

NOTICE IS HEREBY GIVEN THAT Energy Alabama and Gasp, pursuant to the provisions of Alabama Code § 37-1-140, *et seq.*, appeal to the Supreme Court of Alabama from the August 14, 2020 Order and the December 10, 2020 Order Denying Reconsideration and Rehearing of the Alabama Public Service Commission (“Commission”) in Docket 32953. This Notice of Appeal is being amended to update the Certificate of Service list.

Pursuant to Alabama Code § 37-1-140, “all cases involving controversies respecting rates and charges of telephone companies or

public utilities, an appeal from any action or order . . . shall lie directly to the Supreme Court of Alabama.” An appeal of any other final action or order lies with the Circuit Court of Montgomery County. Ala. Code § 37-1-120. Although this is not a rate case, Energy Alabama and Gasp file Amended Notice of Appeal to preserve their right of appeal to the Alabama Supreme Court. Energy Alabama and Gasp file with this Amended Notice of Appeal security for costs of appeal.

Respectfully submitted this 11th day of January, 2021.

s/Christina A. Tidwell  
Christina A. Tidwell (AND119)  
Keith Johnston (JOH230)  
Southern Environmental Law  
Center  
2829 2<sup>nd</sup> Avenue South, Suite 282  
Birmingham, Alabama 35205  
Tel: (205) 745-3060  
Fax: (205) 745-3064  
kjohnston@selcal.org  
ctidwell@selcal.org

Kurt Ebersbach (EBE007)  
Southern Environmental Law  
Center  
Ten 10<sup>th</sup> Street NW, Suite 1050  
Atlanta, Georgia 30309  
Tel: (404) 521-9900  
Fax: (404) 521-9909  
kebersbach@selcga.org

*Counsel for Energy Alabama and Gasp*

**Notice of  Appeal  Cross Appeal to the**  
 **SUPREME COURT OF ALABAMA**  
 **ALABAMA COURT OF CIVIL APPEALS**

**IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY, ALABAMA**  
*(Circuit, District, or Juvenile)* *(Name of County)*

**Civil Action Number:**

**APPELLANT(S):**

*Energy Alabama and Gasp*

*[The name of each party appealing must be listed – see Rule 3(c), Alabama Rules of Appellate Procedure. Attach additional pages if necessary.]*

**V. APPELLEE(S):**

*Alabama Public Service Commission*

*[The name of each party against whom appeal is taken must be listed – see Rule 3(c), Alabama Rules of Appellate Procedure. Attach additional pages if necessary.]*

**TRIAL JUDGE:** Hon. John A. Garner, Chief Administrative Law Judge, Alabama Public Service Commission

**DATE OF JUDGMENT:**

August 14, 2020

**DATE OF POST-JUDGMENT ORDER:**

December 10, 2020

Notice is Hereby Given that the above-named appellant(s) appeal(s) to the above-designated court from the  Final Judgment  
 Order approving Alabama Power Company's Petition for Certificate of Convenience and Necessity *(describe order)* entered in this cause.

**CHECK THE PROPER DESCRIPTION OF THE APPEALED CASE UNDER THE APPROPRIATE COURT:**

**SUPREME COURT OF ALABAMA**

- Summary judgment amount claimed more than \$50,000
- Judgment amount exceeds \$50,000
- Amount sought in trial court more than \$50,000, judgment for defendant
- Equitable relief, except for domestic relations
- Other: Appeal from Alabama Public Service Commission final order.

**ALABAMA COURT OF CIVIL APPEALS**

- Summary judgment amount claimed \$50,000 or less
- Judgment amount \$50,000 or less
- Amount sought in trial court \$50,000 or less, judgment for defendant
- Workers' compensation
- Domestic relations
- Other: \_\_\_\_\_

**APPELLANT FILES WITH THIS NOTICE OF APPEAL:**

- Security for costs of appeal. **\*See attached Security for Costs of Appeal filed with and approved by the Secretary of the PSC.**
- A supersedeas bond in the amount of \$ \_\_\_\_\_.
- Deposited cash security of \$ \_\_\_\_\_.
- Is exempted by law from giving security for costs of appeal by virtue of \_\_\_\_\_.  
*(Specify)*

Filed January 11, 2021  
*(Date)*

**CERTIFIED AS A TRUE COPY**

*(Certification is not required if the Notice of Appeal is filed electronically. See Rule 3(d)(3), Ala. R. App. P.)*

\_\_\_\_\_  
*(Signature of \_\_\_\_\_, Circuit Clerk)*  
*(Printed Name)*

**Christina A. Tidwell**

*(Name of Appellant or Attorney for Appellant)*

**2829 2nd Avenue South, Suite 282**

*(Address of Appellant or Attorney for Appellant)*

**Birmingham, AL 35233**

*(City) (State) (Zip)*

**205-745-3060**

*(Telephone Number)*

**ctidwell@selcal.org**

*(E-mail Address)*

**s/Christina A. Tidwell**

*(Signature of Appellant or Attorney for Appellant)*

**Notice of Appeal to the**  **Supreme Court of Alabama**  **Alabama Court of Civil Appeals**

**SECURITY FOR COSTS\***

We hereby acknowledge ourselves security for costs of appeal. For the payment of all costs secured by this undertaking, we hereby waive our right of exemption as to personal property under the Constitution and laws of the State of Alabama. Executed with our seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Date Filed and Approved: \_\_\_\_\_  
(Signature of \_\_\_\_\_, Appellant-Principal) (Printed Name)  
\_\_\_\_\_  
(Signature of \_\_\_\_\_, Circuit Clerk) (Printed Name)  
\_\_\_\_\_  
(Signature of \_\_\_\_\_, Surety) (Printed Name)  
\_\_\_\_\_  
(Signature of \_\_\_\_\_, Surety) (Printed Name)

\*Note: If you are filing this Notice of Appeal electronically, the trial-court clerk's portion of the Security for Costs will be completed after the Notice of Appeal has been filed.

**DESIGNATION OF THE RECORD ON APPEAL**

Appellant(s) request(s) the clerk of the trial court to include the following checked materials in the clerk's record:

- Complaint
- Answer
- Counterclaim
- Cross-claim
- Third-party complaint
- Third-party answer
- Motion to dismiss
- Pretrial order
- Entire record (less items set forth in Rule 10(a), Alabama Rules of Appellate Procedure)
- Motion for summary judgment
- Opposition to motion for summary judgment
- Final judgment/order
- Motion for new trial
- Ruling on motion for new trial
- Others: \_\_\_\_\_
- Exhibit numbers: \_\_\_\_\_

**TRANSCRIPT STATUS**

Transcript will not be ordered. See Rule 10(b), Alabama Rules of Appellate Procedure.  
 Transcript will be ordered. See Rules 10(b)(2) and 11(a)(2), Alabama Rules of Appellate Procedure.  
Name and address of court reporter(s): \_\_\_\_\_ Note: The hearing transcript is available on the PSC's website and should be included in the record.  
NOTE: If more than one court reporter was involved in this case, you must file a Transcript Purchase Order Form in compliance with Rules 10(b)(2) and 11(a)(2), Alabama Rules of Appellate Procedure, and Form 1A or 1B.

**CERTIFICATE OF FILING AND OF SERVICE**

I certify I have this date filed electronically with the clerk of the trial court the foregoing notice of appeal through the trial court electronic-filing system **or** that I have this date hand-filed the original and \_\_\_\_\_ (number) copies of the foregoing notice of appeal (along with the \$200 docket fee) and such other instruments as have been completed and included herein. If I filed the notice of appeal electronically, I acknowledge that I must pay the \$200 docket fee *directly to the appropriate appellate court clerk within seven (7) days.*† A true or electronic copy of each of these items will be served by the clerk of the trial court or by the trial court's electronic-filing system on each of the following: (1) the clerk of the appellate court; (2) the court reporter; and (3) counsel for each appellee or the appellee if no counsel, as follows (provide names and addresses): Walter L. Thomas, Jr. Secretary, Alabama Public Service Commission, 100 North Union Street, Suite 950, Montgomery, AL 36104

I further certify pursuant to Rules 3(d), 25(d), and 57(h)(5), Alabama Rules of Appellate Procedure, that I have this date served a copy of this Notice of Appeal on each party to the proceedings in the trial court in the manner indicated below (*attach additional pages if necessary*):

Name	Method of Service (AlaFile, U.S. Mail, Hand Delivery, etc.)	Service Address‡
See Attachment.		

‡If electronic service is selected, the e-mail address at which service was made via AlaFile must be listed as the service address.

Done on this 11 day of January, 2021.  
(Day) (Month) (Year)

s/Christina A. Tidwell January 11, 2021  
(Signature of Appellant or Attorney for Appellant) (Printed Name)

†NOTE: If the Notice of Appeal is filed electronically, payment of the \$200 docket fee must be mailed or hand delivered to the attention of the clerk of the appropriate appellate court at 300 Dexter Avenue, Montgomery, AL 36104. The payment shall be accompanied by a means of identifying the appeal to which the payment is applicable. See Rule 35A(a)(1), Ala. R. App. P.

**BEFORE THE ALABAMA PUBLIC SERVICE COMMISSION**

IN RE: Petition for a Certificate of Convenience and Necessity by Alabama Power Company ) ) Docket 32953

**SECURITY FOR COSTS**

We hereby acknowledge ourselves for security for costs of appeal. For the payment of all costs secured by this undertaking, we hereby waive our right of exemption as to personal property under the Constitution and laws of the State of Alabama.

Executed with our seals this 7th day of January, 2021.

Energy Alabama and Gas



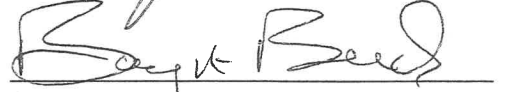
Appellants-Principals

Christina Tidwell

As its: Attorney



Surety



Surety

Date Filed and Approved: January 7, 2020

By the Secretary of the Public Service Commission: Walter Thomas

**Attachment to Notice of Appeal Form ARAP-1**

**CERTIFICATE OF FILING AND OF SERVICE**

I certify that on January 11, 2021, I served a copy of this Amended Notice of Appeal on the Alabama Public Service Commission and on each party to the proceedings in the Alabama Public Service Commission in the manner indicated below:

Name	Method of Service	Service Address
Alabama Public Service Commission	E-mail	Walter L. Thomas, Secretary Alabama Public Service Commission 100 North Union Street, Suite 950 Montgomery, AL 36104 Walter.Thomas@psc.alabama.gov
Alabama Power Company	E-mail	c/o Dan H. McCrary Scott B. Grover Abby Fox Balch & Bingham, LLP P.O. Box 306 Birmingham, AL 35201-0306 dmccrary@balch.com sgrover@balch.com afox@balch.com  Robin G. Laurie Riley W. Roby Balch and Bingham LLP 105 Tallapoosa Street, Ste. 200 Montgomery, AL 36104 rlaurie@balch.com rroby@balch.com

Office of the Alabama Attorney General	E-mail	c/o Olivia Martin Tina Hammonds Zack Wilson Assistant Attorney General Office of the Attorney General 501 Washington Avenue Montgomery, AL 36130 omartin@ago.state.al.us thammonds@ago.state.al.us zwilson@ago.state.al.us
Alabama Coal Association	E-mail	Patrick V. Cagle President Alabama Coal Association 2 Office Park Circle, Suite 200 Birmingham, AL 35223 patrick@alcoal.com
Alabama Industrial Energy Consumers	E-mail	c/o C. Richard Hill, Jr. W. Jackson Britton Capell & Howard, P.C. P.O. Box 2069 Montgomery, AL 36102-2069 crh@chlaw.com jackson.britton@chlaw.com
Alabama Solar Industry Association	E-mail	c/o Jennifer L. Howard Rimon, P.C. 2000 Southbridge Pkwy. Suite 205 Birmingham, AL 35209 jen.howard@rimonlaw.com
American Senior Alliance	E-mail	Conwell Hooper Executive Director American Senior Alliance 225 Peachtree Street NE

		Suite 1430 South Tower Atlanta, GA 30303 conwellhooper@gmail.com
Energy Fairness.org	E-mail	Paul Griffin Executive Director Energy Fairness P.O. Box 70072 Montgomery, AL 36107 paul@energyfairness.org
Manufacture Alabama	E-mail	George N. Clark President Manufacture Alabama 401 Adams Avenue, Suite 710 Montgomery, AL 36104 george@manufacturealabama.org
Sierra Club	E-mail	Diana Csank Julie Kaplan Sierra Club 50 F Street NW, 8th Floor Washington, DC 20001 diana.csank@sierraclub.org julie.kaplan@sierraclub.org  Joel E. Dillard Dillard, McKnight, James & McElroy 2700 Highway 280 Suite 110 East Birmingham, Alabama 35233 jdillard@baxleydillard.com

s/Christina A. Tidwell

Christina A. Tidwell

*Counsel for Energy Alabama and Gasp*



<b>State of Alabama</b> <b>Unified Judicial System Form</b> <b>ARAP-24 (front)</b> <b>Rev. 10/2019</b>	<h2 style="margin: 0;">DOCKETING STATEMENT</h2> <h3 style="margin: 0;">Appeal to the Supreme Court of Alabama</h3> <p style="margin: 0; font-size: small;">NOTE: completed Civil Case Cover Sheet must be attached</p>
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COUNTY	CIVIL ACTION NUMBER	TRIAL JUDGE
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**I. APPELLANT(s)(list the parties appealing):**  
*Energy Alabama and Gasp*

Appellant's Attorney: Christina Tidwell; Keith Johnston; Kurt Ebersbach Address: 2829 2nd Avenue South, Suite 282  
 Phone: 205-745-3060 Email: ctidwell@selcal.org Birmingham, AL 35233

**II. APPELLEE(S)(list the parties appealed):**  
*Alabama Public Service Commission*

Appellee's Attorney: \_\_\_\_\_ Address: 100 North Union Street  
 Phone: 334-242-5218 Email: \_\_\_\_\_ Montgomery, AL 36104

**III. APPELLANT IS THE TRIAL COURT:**  Plaintiff  Defendant  Other **IV. IS THIS A CROSS-APPEAL?**  Yes  No

**V. RELIEF AWARDED/REQUESTED:** please check the appropriate block (s):

**A.**  Monetary damages were either sought or awarded, as set out below:

1. Compensatory damages were: (a)  awarded in the amount of \$ \_\_\_\_\_;  
 (b)  not awarded, but sought in the amount of \$ \_\_\_\_\_;  
 (c)  sought, but not awarded - the amount sought was not specified in the complaint.

2. Punitive damages were: (a)  awarded in the amount of \$ \_\_\_\_\_;  
 (b)  not awarded, but sought in the amount of \$ \_\_\_\_\_;  
 (c)  sought, but not awarded - the amount sought was not specified in the complaint.

3. A general award of damages ( not differentiating between compensatory and punitive) was: (a)  made in the amount of \$ \_\_\_\_\_;  
 (b)  not made, but sought in the amount of \$ \_\_\_\_\_;  
 (c)  sought, but not made - the amount sought was not specified in the complaint.

4. Other monetary damages (Type: \_\_\_\_\_ ) were: (a)  awarded in the amount of \$ \_\_\_\_\_;  
 (b)  not awarded, but sought in the amount of \$ \_\_\_\_\_;  
 (c)  sought, but not awarded - the amount sought was not specified in the complaint.

5. Was there a remittitur or additur at issue in the trial court? Yes No  
 (if yes, please provide the details in the "FACTS" section on the back of this form)

**B.**  Equitable and/or declaratory relief was sought in the trial court  
**C.**  Other  
 (Please provide in the details of the issue(s) before the Court in the "ISSUES" section on the back of this form.)

**VI. TYPE OF JUDGMENT OR ORDER APPEALED.** (Please check one) :

A  Judgment based on a jury Verdict      D  Order granting a New Trial      G  Dismissal  
 B  Judgment based on a Non-jury Decision      E  Judgment as a Matter of Law      H  Default Judgment  
 C  Judgment Notwithstanding the Verdict (JNOV)      F  Summary Judgment      I  Other

**VII. IF THE CASE WENT TO TRIAL, HOW MANY DAYS DID THE TRIAL TAKE?** 3-day hearing

**VIII. FINALITY OF JUDGMENT:** Date of entry of judgment or order appealed from: August 14 2020  
 Month Day Year

1. Is the judgment or order appealed from in compliance with Rule 58, Ala.R.Civ.P.?  Yes  No  
 2. Does the order appealed from constitute a disposition of all claims as to all parties?  Yes  No  
 3. If not, did the trial court enter an order intended to make the order final pursuant to Rule 54(b), Ala. R. Civ. P.?  Yes  No  
 4. If the trial court intended to make the order appealed from final pursuant to Rule 54 (b), Ala. R. Civ. P., did the court in the Rule 54 (b) order expressly determine that there was no just reason for delay and expressly direct that final judgment be entered?  Yes  No  
 5. If the answer to question 2 is "NO", and the trial court did not make the order final by full compliance with Rule 54(b), Ala. R. Civ. P., please explain the basis for seeking appellate review and cite the authority for this appeal:  
The order approves a Certificate of Convenience and Necessity for Alabama Power Company by the Alabama Public Service Commission. Thus, part VIII is inapplicable thereto.

**IX. POST-JUDGMENT MOTIONS:** List all post-judgment motions by date of filing, type, and date of disposition  
 (whether by trial court order or by the provisions of Rule 59.1, A.R.Civ.P.):

DATE OF FILING			TYPE OF POST-JUDGMENT MOTION	DATE OF DISPOSITION		
Month	Date	Year		Month	Date	Year
09	11	2020	Energy Alabama & Gasp's Petition for Reconsideration and Rehearing	12	10	2020
09	14	2020	Sierra Club's Petition for Reconsideration and Rehearing	12	10	2020

DOCKETING STATEMENT Appeal to the Supreme Court of Alabama

X. CONSTITUTIONAL ISSUES:

1. Are the provisions of Rule 44, Ala.R.App.P., applicable to this appeal?
2. If so, have the provisions been complied with?

Yes No
Yes No

XI. NATURE OF CASE ON APPEAL: In the left column of boxes proceeding the categories listed below, check the box (check only one) that best describes or categorizes the basis or theory of the primary issue on appeal. In the right column of boxes, check any secondary theories that are applicable to the suit.

TORTS: 01 Bad Faith, 02 Fraud, 03 Legal Malpractice, 04 Medical Malpractice, 05 Other Malpractice, 06 Products/AEMLD, 07 Negligence (Vehicular), 08 Negligence (Gen./other), 09 Personal Property, 10 Real property, 11 Wrongful Death (All Types), 12 Wantonness, 13 Conversion, 14 Wrongful Employment Termination, 15 Premises Liability, 16 Outrage, 17 Other, 18 CONTRACTS: 19 Commercial, 20 Personal, 21 Pension, 22 Insurance, 23 Employment, 24 Other, 25 OTHER: 26 Real Property, 27 Civil Rights (Prisoner), 28 Civil Rights (Other), 29 Wills/Trusts/Estates, 30 Declaratory Judgment, 31 Injunction (Commercial), 32 Injunction (Employment), 33 Injunction (Other), 34 Extraordinary Writ Pub., 35 Service Comm. RR/, 36 Seaman (FELA), 37 RICO, 38 Other: Appeal pursuant to Alabama Code 37-1-140

XII. APPELLATE REVIEW: Please take notice that your case may be initially reviewed by the Court of Civil Appeals. Pursuant to § 12-2-7, Ala. Code 1975, the Supreme Court has the authority to transfer any civil case within its jurisdiction to the court of Civil Appeals, except cases presenting a substantial question of federal or state constitutional law; cases involving a novel legal question, the resolution of which will have significant statewide impact; utility rate cases appealed pursuant to § 31-1-140, Ala. Code 1975, bond validation cases appealed pursuant to § 6-6-754, Ala. Code 1975, or Alabama State bar disciplinary proceedings. If you believe this case should not be transferred to the Court of Civil Appeals, please state with specificity the reason(s) why it should not be transferred, referring to pertinent sections of § 12-2-7. Reasons should be supported in the ISSUES and FACTS sections of this docketing statement.

Alabama Code section 37-1-140.

XIII. ISSUES: Briefly summarize the issue(s) on appeal.

See attached.

XIV. FACTS: Without argument, briefly summarize the facts to inform the court of the nature of the case.

See attached.

01/11/2021 Date s/Christina A. Tidwell Signature of Attorney/Party Filing this Form Christina A. Tidwell Printed Name

Certificate of Service

I certify I have this date filed electronically with the clerk of the trial court the foregoing docketing statement through the trial court electronic-filing system or that I have this date hand-filed the original and (number) copies of the foregoing docketing statement. A true or electronic copy of the docketing statement will be served by the clerk of the trial court or by the trial court's electronic-filing system on each of the following: (1) the clerk of the appellate court; (2) the court reporter; and (3) attorney for each appellee or the appellee if no attorney as follows (provide names and addresses): Walter L. Thomas, Jr., Secretary, Alabama Public Service Commission, 100 North Union Street, Suite 950, Montgomery, AL 36104

I further certify pursuant to Rules 3(d), 25(d), and 57(h)(5), Alabama Rules of Appellate Procedure, that I have this date served a copy of this Notice of Appeal on each party to the proceedings in the trial court in the manner indicated below (attach additional pages if necessary):

Table with 3 columns: Name of Party, Method of Service (US Mail, AlaFile, etc.), Service Address. Row 1: See attached.

\*If electronic service is selected, the e-mail address at which service was made via AlaFile must be listed as the service address.

Date: January 11, 2021 s/Christina A. Tidwell Christina A. Tidwell (Signature of Appellant or Attorney for Appellant) (Printed Name)

## Attachment to Docketing Statement

**XIII. ISSUES:** Briefly summarize the issue(s) on appeal.

Whether the Alabama Public Service Commission order approving the issuance of a certificate of convenience and necessity to Alabama Power Company is an erroneous application of the law prejudicial to the Appellants' substantial rights; is contrary to the substantial weight of the evidence; and is otherwise arbitrary and capricious.

Whether the Alabama Public Service Commission erred in denying Appellants' petition for reconsideration and rehearing.

**XIV. FACTS:** Without argument, briefly summarize the facts to inform the court of the nature of the case.

On August 14, 2020, the Alabama Public Service Commission issued an order approving the issuance of a certificate of convenience and necessity to Alabama Power Company for: (i) the construction of a new combined cycle unit at Plant Barry ("Barry Unit 8"); (ii) the acquisition of an existing combined cycle unit known as the Central Alabama Generating Station, located in Autauga County; (iii) the entry into a power purchase agreement that entitles Alabama Power to the capacity and energy output from an existing combined cycle unit known as the Hog Bayou Energy Center located in Mobile County; and (iv) the

authority to pursue up to 200 megawatts of demand-side management and distributed energy resource programs. The Commission did not approve Alabama Power Company's proposal to enter into power purchase agreements for the output from five solar photovoltaic and battery energy storage systems, located in Calhoun, Chambers, Dallas, Houston and Talladega Counties.

On December 10, 2020, the Alabama Public Service Commission issued an order denying Appellants' petition for reconsideration and rehearing.

## CERTIFICATE OF SERVICE

I certify that on January 11, 2021, I served a copy of this Amended Notice of Appeal on the Alabama Public Service Commission and on each party to the proceedings before the Alabama Public Service Commission in the manner indicated below:

Name	Method of Service	Service Address
Alabama Public Service Commission	E-mail	Walter L. Thomas, Secretary Alabama Public Service Commission 100 North Union Street, Suite 950 Montgomery, AL 36104 Walter.Thomas@psc.alabama.gov
Alabama Power Company	E-mail	c/o Dan H. McCrary Scott B. Grover Abby Fox Balch & Bingham, LLP P.O. Box 306 Birmingham, AL 35201-0306 dmccrary@balch.com sgrover@balch.com afox@balch.com  Robin G. Laurie Riley W. Roby Balch and Bingham LLP 105 Tallapoosa Street, Ste. 200 Montgomery, AL 36104 rlaurie@balch.com rroby@balch.com

Office of the Alabama Attorney General	E-mail	c/o Olivia Martin Tina Hammonds Zack Wilson Assistant Attorney General Office of the Attorney General 501 Washington Avenue Montgomery, AL 36130 omartin@ago.state.al.us thammonds@ago.state.al.us zwilson@ago.state.al.us
Alabama Coal Association	E-mail	Patrick V. Cagle President Alabama Coal Association 2 Office Park Circle, Suite 200 Birmingham, AL 35223 patrick@alcoal.com
Alabama Industrial Energy Consumers	E-mail	c/o C. Richard Hill, Jr. W. Jackson Britton Capell & Howard, P.C. P.O. Box 2069 Montgomery, AL 36102-2069 crh@chlaw.com jackson.britton@chlaw.com
Alabama Solar Industry Association	E-mail	c/o Jennifer L. Howard Rimon, P.C. 2000 Southbridge Pkwy. Suite 205 Birmingham, AL 35209 jen.howard@rimonlaw.com

American Senior Alliance	E-mail	Conwell Hooper Executive Director American Senior Alliance 225 Peachtree Street NE Suite 1430 South Tower Atlanta, GA 30303 conwellhooper@gmail.com
Energy Fairness.org	E-mail	Paul Griffin Executive Director Energy Fairness P.O. Box 70072 Montgomery, AL 36107 paul@energyfairness.org
Manufacture Alabama	E-mail	George N. Clark President Manufacture Alabama 401 Adams Avenue, Suite 710 Montgomery, AL 36104 george@manufacturealabama.org
Sierra Club	E-mail	Diana Csank Julie Kaplan Sierra Club 50 F Street NW, 8th Floor Washington, DC 20001 diana.csank@sierraclub.org julie.kaplan@sierraclub.org  Joel E. Dillard Dillard, McKnight, James & McElroy 2700 Highway 280 Suite 110 East Birmingham, Alabama 35233 jdillard@baxleydillard.com

s/Christina A. Tidwell

Christina A. Tidwell

*Counsel for Energy Alabama and Gas*