



AlaFile E-Notice

03-CV-2021-900028.00

Judge: GREG GRIFFIN

To: CHRISTINA TIDWELL
ctidwell@selcal.org

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

ENERGY ALABAMA ET AL V. ALABAMA PUBLIC SERVICE COMMISSION
03-CV-2021-900028.00

The following matter was FILED on 5/6/2021 6:52:34 PM

C001 ENERGY ALABAMA

C002 GASP

MOTION FOR ORAL ARGUMENT BY APPELLANTS ENERGY ALABAMA AND GASP

[Filer: TIDWELL CHRISTINA ANDREEN]

Notice Date: 5/6/2021 6:52:34 PM

GINA J. ISHMAN
CIRCUIT COURT CLERK
MONTGOMERY COUNTY, ALABAMA
251 S. LAWRENCE STREET
MONTGOMERY, AL, 36104

334-832-1260



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CIRCUIT COURT OF
MONTGOMERY COUNTY, ALABAMA
GINA J. ISHMAN, CLERK

STATE OF ALABAMA
Unified Judicial System
03-MONTGOMERY
Revised 3/5/08
 District Court Circuit Court

Cas
CV21

ENERGY ALABAMA ET AL V. ALABAMA PUBLIC SERVICE COMMISSION

CIVIL MOTION COVER SHEET
Name of Filing Party: C001 - ENERGY ALABAMA
C002 - GASP

Name, Address, and Telephone No. of Attorney or Party. If Not Represented.
CHRISTINA TIDWELL
2829 2ND AVE S #282
BIRMINGHAM, AL 35233
Attorney Bar No.: AND119

Oral Arguments Requested

TYPE OF MOTION

- Motions Requiring Fee**
- Default Judgment (\$50.00)
Joinder in Other Party's Dispositive Motion (i.e. Summary Judgment, Judgment on the Pleadings, or other Dispositive Motion not pursuant to Rule 12(b)) (\$50.00)
 - Judgment on the Pleadings (\$50.00)
 - Motion to Dismiss, or in the Alternative Summary Judgment (\$50.00)
Renewed Dispositive Motion (Summary Judgment, Judgment on the Pleadings, or other Dispositive Motion not pursuant to Rule 12(b)) (\$50.00)
 - Summary Judgment pursuant to Rule 56 (\$50.00)
 - Motion to Intervene (\$297.00)
 - Other _____ pursuant to Rule _____ (\$50.00)
- *Motion fees are enumerated in §12-19-71(a). Fees pursuant to Local Act are not included. Please contact the Clerk of the Court regarding applicable local fees.
- Local Court Costs \$ 0 _____

- Motions Not Requiring Fee**
- Add Party
 - Amend
 - Change of Venue/Transfer
 - Compel
 - Consolidation
 - Continue
 - Deposition
 - Designate a Mediator
 - Judgment as a Matter of Law (during Trial)
 - Disburse Funds
 - Extension of Time
 - In Limine
 - Joinder
 - More Definite Statement
 - Motion to Dismiss pursuant to Rule 12(b)
 - New Trial
 - Objection of Exemptions Claimed
 - Pendente Lite
 - Plaintiff's Motion to Dismiss
 - Preliminary Injunction
 - Protective Order
 - Quash
 - Release from Stay of Execution
 - Sanctions
 - Sever
 - Special Practice in Alabama
 - Stay
 - Strike
 - Supplement to Pending Motion
 - Vacate or Modify
 - Withdraw
 - Other Motion for Oral Argument by Appellants Energy Alabama and GASP
pursuant to Rule Court's April 8, 2021 (Subject to Filing Fee) Order

Check here if you have filed or are filing contemporaneously with this motion an Affidavit of Substantial Hardship or if you are filing on behalf of an agency or department of the State, county, or municipal government. (Pursuant to §6-5-1 Code of Alabama (1975), governmental entities are exempt from prepayment of filing fees)

Date:
5/6/2021 6:51:40 PM

Signature of Attorney or Party
/s/ CHRISTINA TIDWELL

*This Cover Sheet must be completed and submitted to the Clerk of Court upon the filing of any motion. Each motion should contain a separate Cover Sheet.
**Motions titled 'Motion to Dismiss' that are not pursuant to Rule 12(b) and are in fact Motions for Summary Judgments are subject to filing fee.

**IN THE CIRCUIT COURT OF MONTGOMERY COUNTY
STATE OF ALABAMA**

ENERGY ALABAMA and GASP,)	
)	
Appellants,)	Case No.: 03-CV-2021-900028.00
)	
v.)	On Appeal from the
)	Alabama Public
ALABAMA PUBLIC SERVICE)	Service Commission
COMMISSION,)	Docket 32953
)	
Appellee.)	
)	

MOTION FOR ORAL ARGUMENT BY APPELLANTS
ENERGY ALABAMA AND GASP

Pursuant to this Court’s Order of April 8, 2021 (Doc. 122), Appellants Energy Alabama and GASP, through counsel, respectfully request oral argument on the issues presented on appeal.

This Court’s consideration and adjudication of the issues presented before it would benefit from oral argument due to their complexity and importance. This appeal involves technical and complex questions about Alabama Power’s future electricity needs and the best resources to meet that need. The certified evidentiary record in this case is substantial, and contains over 9,000 pages that includes technical pre-filed witness testimony and pleadings by Alabama Power Company and multiple intervening parties. The hearing transcript from the three-day hearing before the Alabama Public Service Commission is over 1,300 pages in length. Importantly, the appeal is critical to Alabama Power customers throughout the state because they will see their electrical bills increase as a result of the decisions by the Alabama Public Service Commission.

Oral argument would assist the Court in assessing the merits of Appellants' arguments and would ensure that the Court has all the information necessary to rule on the issues.

Respectfully submitted this the 6th day of May, 2021.

/s/Christina Tidwell

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Counsel for Energy Alabama and GASP

CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2021, I electronically filed the foregoing with the Court using the AlaFile system which will send notification of such filing to the following:

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