STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130-4260

CYNTHIA LEE ALMOND, PRESIDENT
JEREMY H. ODEN, COMMISSIONER, PLACE 1
CHRIS V. BEEKER III, COMMISSIONER, PLACE 2

LUKE D. BENTLEY IV, EXECUTIVE DIRECTOR

GENERIC PROCEEDING TO ESTABLISH A PROCESS FOR CONSIDERATION OF CONTRACTS FOR ELECTRIC SERVICE BETWEEN ALABAMA POWER COMPANY AND LARGE LOAD DATA CENTER CUSTOMERS

DOCKET 33709

ORDER

BY THE COMMISSION:

On October 19, 2026, the Commission issued an order ("Final Order") adopting procedures for the review and approval of contracts for electric service between Alabama Power Company ("Alabama Power") and large load data center customers. The Commission directed Alabama Power to file a tariff that complies with the Final Order's requirements. In response, on October 21, 2026, Alabama Power filed Rate FCR-LLDC (Flexible Contract Rate — Large Load Data Centers).

As filed, Rate FCR-LLDC complies with the requirements of the Final Order but does not explicitly reference the consideration of contract terms and conditions in its Review Criteria section. Under Act No. 2026-610 ("Act 610"), the public interest determination hinges on the Commission's consideration of the terms and conditions, such as minimum contract length, upfront payments, security, and minimum payment. Therefore, to reflect the requirements in Act 610, the Commission finds that the second paragraph of the Review Criteria section of the filed tariff should be amended as follows:

> A contract executed pursuant to this Rate FCR-LLDC is consistent with the public interest when the terms and conditions, including but not limited to minimum term for contract length, upfront payments, security and collateral, and minimum payment, as supported by data, information and economic evaluations made in accordance with methods that have been accepted by the Commission, demonstrate the contract satisfies the requirements of § 37-4-22.1, Code of Alabama, as reflected in the October 19, 2026 Order in Docket No. 33709 and the Review Criteria of this Rate FCR-LLDC…."

With this amendment, Rate FCR-LLDC is due to be approved.

IT IS, THEREFORE, ORDERED BY THE COMMISSION that, with the above-described amendment, Rate FCR-LLDC (Flexible Contract Rate — Large Load Data Centers) is hereby approved.

IT IS FURTHER ORDERED BY THE COMMISSION that, within ten (10) calendar days of the effective date of this order, Alabama Power Company shall file the amended tariff with an effective date of November 23, 2026.

IT IS FURTHER ORDERED BY THE COMMISSION that this Order shall be effective as of the date hereof.

DONE at Montgomery, Alabama this 3rd day of November 2026.

ALABAMA PUBLIC SERVICE COMMISSION

Cynthia Lee Almond, President

Jeremy H. Oden, Commissioner

Chris V. Beeker, III, Commissioner

ATTEST: A True Copy

Devon D. Beaty, Secretary