

BEFORE THE MISSISSIPPI PUBLIC SERVICE COMMISSION

SOUL CITY ENERGY, LLC

DOCKET NO. 2024-UA-135

IN RE: PETITION OF SOUL CITY ENERGY, LLC FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING THE CONSTRUCTION AND OPERATION OF A SOLAR ELECTRIC GENERATING FACILITY IN HINDS COUNTY, MISSISSIPPI

REPORT AND RECOMMENDATION ON ORDER OF THE HEARING EXAMINER

COMES NOW, the Mississippi Public Service Commission (“Commission”), and for the reasons that follow, hereby grants Soul City Energy, LLC’s (“Petitioner” or “Soul City Energy”) petition in this case and issues a Certificate of Public Convenience and Necessity (“CPCN”) authorizing the construction and operation of the approximately 396 MW solar generation facility located in Hinds County, Mississippi (“Facility”). The undersigned, having considered all evidence filed in the record of this matter and presented at the August 12, 2025, Public Hearing, finds and recommends as follows:

1. The Petition was filed with the Commission on November 22, 2024. Notice of the matter was given to all persons interested therein by mailing such notice to each public utility which may be affected, and by mailing such notices to each “Interested Person” as defined in RP 2.115 of the Mississippi Public Service Commission Public Utility Rules of Practice and Procedure (“Rules”).

2. On May 1, 2025, this matter was referred to the undersigned for hearing, report, and recommendation of an appropriate order pursuant to Miss. Code Ann. § 77-3-40.

3. Allison Lauderdale and Mississippi Chapter Sierra Club sought to intervene in this matter and public comments in opposition and support to the Petition have been filed.

4. Soul City was approved for a conditional use permit (CUP) from the Hinds County Board of Supervisors, the issuance of which has become the subject of an appeal filed by Allison Lauderdale and pending in the Supreme Court of Mississippi.

5. Following the requisite notice and publication, a public hearing was held on August 12, 2025, at the Mississippi Public Service Commission Hearing Room in Jackson, Mississippi. Testimony was presented by the Petitioner and intervenors.

6. Petitioner is a Delaware limited liability company duly authorized and qualified to do business in the State of Mississippi. A copy of its Certificate of Formation as filed with the Secretary of State has been filed with the Commission, and the names and addresses of all owners or partners have been provided in accordance with Commission Rules.

7. Petitioner is not, and does not intend to become, a public utility under the laws of the State of Mississippi. Section 77-3-14 of the *Mississippi Code Annotated, as amended*, provides, among other things, that “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 furnishing of public utility service in this state ... without first obtaining” a certificate of public convenience and necessity from this Commission. Even though Petitioner is not a public utility, it is an “other person” within the meaning of Miss. Code Ann. § 77-3-14.

8. Petitioner intends to construct, own, and operate the Facility in a rural portion of Hinds County that is currently utilized primarily for silvicultural and agriculture operations. The Facility will be located approximately two (2) miles away from the city of Raymond and approximately one-half (0.5) mile from the City of Bolton.

9. The Facility will add up to 396 MWac to the Midcontinent Independent System Operator (“MISO”) transmission network (“Grid”) by including a Gen-tie line to interconnect at Entergy’s existing 115 kilovolt (“kV”) Bolton (“Switchyard”). Applicable direct upgrades to the Switchyard and network upgrades to the Grid will be paid for by Soul City through its Generator Interconnection Agreement (“GIA”). As such, neither the rates charged by the Petitioner, nor the proposed wholesale sale of electricity from the Facility into the interstate electricity market of MISO are subject to this Commission’s jurisdiction. Instead, the Commission’s jurisdiction is limited to the issuance of the Certificate needed to construct the project.

10. The total cost of construction will be funded entirely by Petitioner. MISO interconnection studies are underway, and the Petitioner has agreed to pay for any required upgrades that may be identified by the MISO feedback.

11. The Commission finds that construction of the Facility is in the public interest of the State of Mississippi and the residents thereof. The Facility will generate substantial ad valorem tax revenue over the estimated life of the Facility. Facility construction, moreover, will create up to approximately four hundred (400) full-time equivalent construction jobs at its peak, and after completion there will be approximately ten (10) full-time operations, permanent jobs associated with the Facility.

12. Petitioner has reasonably complied with all applicable filing requirements and has provided information sufficient for this Commission’s and the Staff’s consideration of this matter. The Commission specifically finds that Items 3, 5, 7, 9, 10, 11, 12 and 17 of Appendix “A”, Schedule 1, to the Procedural Rules are not applicable to Petitioner because Petitioner is not a public utility under the laws of the State of Mississippi and does not intend to operate as a public

utility in the State of Mississippi. Therefore, for good cause shown, this Commission waives all other requirements that may be prescribed by the Procedural Rules not otherwise provided by the Petitioner.

FOR THESE REASONS, IT IS RECOMMENDED AND ORDERED by the Mississippi Public Service Commission that the Petitioner should be and hereby is GRANTED a Certificate of Public Convenience and Necessity for the construction and operation of the Facility for the generation, transmission, and wholesale sale of electricity in Hinds County, Mississippi conditioned and contingent upon the resolution of the pending conditional use permit appeal before the Mississippi Supreme Court.

IT IS FURTHER ORDERED that the Petitioner is not a public utility, thus the processes and requirements governing sales, assignments, leases or transfers of Certificates of Public Convenience and Necessity as outlined in Miss. Code Ann. § 77-3-23 are not applicable to the Petitioner. However, for informational purposes only and to keep the Commission updated, Petitioner and its successors shall notify the Commission of a transfer of (i) the Facility, (ii) the CPCN, or (iii) more than 50% ownership interest of Petitioner at the parent, grandparent or great-grandparent level. Said Notification shall be filed with the Commission in the Docket.

IT IS FURTHER ORDERED that the Petitioner will file all necessary environmental approvals and permits, a complete set of engineering plans and specifications, and an updated cost estimate with the Commission and the Public Utilities Staff once completed.

IT IS FURTHER ORDERED that any exceptions to this Recommended Order may be filed with the Commission within a period of fifteen (15) days from the date of issuance of this Recommended Order, in accordance with the provisions of Miss. Code Ann. § 77-3-40. If exceptions are not timely filed, this Recommended Order shall then become the Final Order of the Commission.

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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.

SO ORDERED AND ADJUDGED this the 18th day, September 2025.



MISSISSIPPI PUBLIC SERVICE COMMISSION


DE'KEITHER STAMPS

CENTRAL DISTRICT COMMISSIONER

ATTEST: A TRUE COPY



KATHERINE COLLIER,
EXECUTIVE SECRETARY

Effective this the 10th day of September 2025.