



SUPREME COURT OF GEORGIA
Case No. S17C0706

Atlanta, August 28, 2017

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

GEORGIA POWER COMPANY v. AMY N. CAZIER et al.

Court of Appeals Case No. A16A1313

The Supreme Court today granted the writ of certiorari in this case. All the Justices concur, except Hunstein, J., who dissents, and Boggs, J., who is disqualified.

This case will be assigned to the January 2018 oral argument calendar automatically under Supreme Court Rule 50 (2), as amended September 13, 1996. Oral argument is mandatory in granted certiorari cases.

This Court is particularly concerned with the following issue or issues:

1. Whether OCGA § 46-2-90 authorizes customers to bring suit against their utility provider for allegedly calculating and collecting fees in a manner that conflicts with an order of the Public Service Commission.
2. Whether OCGA § 46-2-90 displaces the usual rule that plaintiffs must exhaust their administrative remedies before bringing suit.
3. If OCGA § 46-2-90 does not displace the usual rule of exhaustion, whether the Public Service Commission provides adequate administrative remedies in a case like this one, such that the plaintiff-customers were required to exhaust those remedies before bringing suit.

Briefs should be submitted only on these points. See Supreme Court Rule 45.

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

, Clerk