



## **FOR IMMEDIATE RELEASE**

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### **MEAG Power Seeks Court Order blocking JEA attempt to force abandonment of Vogtle nuclear power plant construction**

*Says JEA's contract breach will cause irreparable injury to Georgia communities*

(Atlanta) – September 12, 2018 – The Municipal Electric Authority of Georgia (MEAG Power) filed a lawsuit in federal court yesterday accusing JEA of a breach of contract that threatens plans for Plant Vogtle Units 3 & 4 at the Alvin W. Vogtle Electric Generating Plant in Waynesboro, Georgia.

The lawsuit, filed in the U.S. District Court for the Northern District of Georgia, seeks a court order that would force JEA to abide by its agreement with MEAG Power.

Due to recent disclosures of unanticipated costs, the plant co-owners -- Georgia Power, MEAG Power, Oglethorpe Power and Dalton Utilities -- are required to decide whether to continue construction by September 24th. For the project to proceed, Georgia Power, MEAG Power and Oglethorpe Power each are required to take affirmative action to support it. MEAG Power is currently evaluating its decision.

“Despite the fact that there has been no vote yet and not all the facts are known, JEA has indicated a clear intent to breach its contract, abandon its obligations, undermine MEAG Power’s ability to perform, and attempt to force MEAG Power’s hand in the vote,” MEAG Power’s complaint says.

The lawsuit accuses JEA of undermining the process by claiming that it does not have to abide by its contractual obligations. “This is wrong, JEA knows it’s wrong, and JEA knows the harm this will do not only to MEAG Power but to the Participant communities involved in the Plant Vogtle Units 3 & 4 project and that rely on MEAG Power for their wholesale electric supply,” said MEAG Power Senior Vice President and General Counsel Peter Degnan.

MEAG Power, which has a 22.7 percent ownership share of Vogtle Units 3 and 4, agreed in 2008 to provide output from the two new units to JEA in return for JEA’s agreement to pay for approximately 41 percent of MEAG Power’s share of the construction cost for 20 years. According to the lawsuit, the deal was sealed by a “hell or high water” contract that clearly stipulated JEA “has no right under any circumstances, to abandon the contract or be relieved of its contractual obligations.”

The lawsuit indicates JEA’s actions have hindered MEAG Power’s ability to fulfill its obligations and secure financing.

“This was not an action we wanted to take, but we filed this lawsuit to protect the interests of the Participant communities that we serve,” said MEAG Power President and CEO, Jim Fuller.

*MEAG Power is a nonprofit entity that was created by the Georgia General Assembly in 1975 to generate and transmit reliable, competitively priced wholesale electric power to 49 Participant communities throughout the state. These communities have access to MEAG Power's multibillion dollar resources, including some of the lowest-cost, emissions-free energy in the region, as well as one of the most diversified fuel portfolios. MEAG Power operates in one of the largest and fastest growing regions in the United States because of Georgia's attractive logistics, pro-business environment and talented workforce.*

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