

# POWER & POLICY

Covering the energy policy decisions that shape the Southeast

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## IN THIS ISSUE

### Power Players: How New Utility Commissioners Are Reshaping Energy Policy Across the Southeast

Complete state-by-state coverage of all 11 Southeast states • Emerging regional themes • What to watch in 2026 and beyond

## From the Editor

Welcome to the inaugural issue of **Power & Policy**.

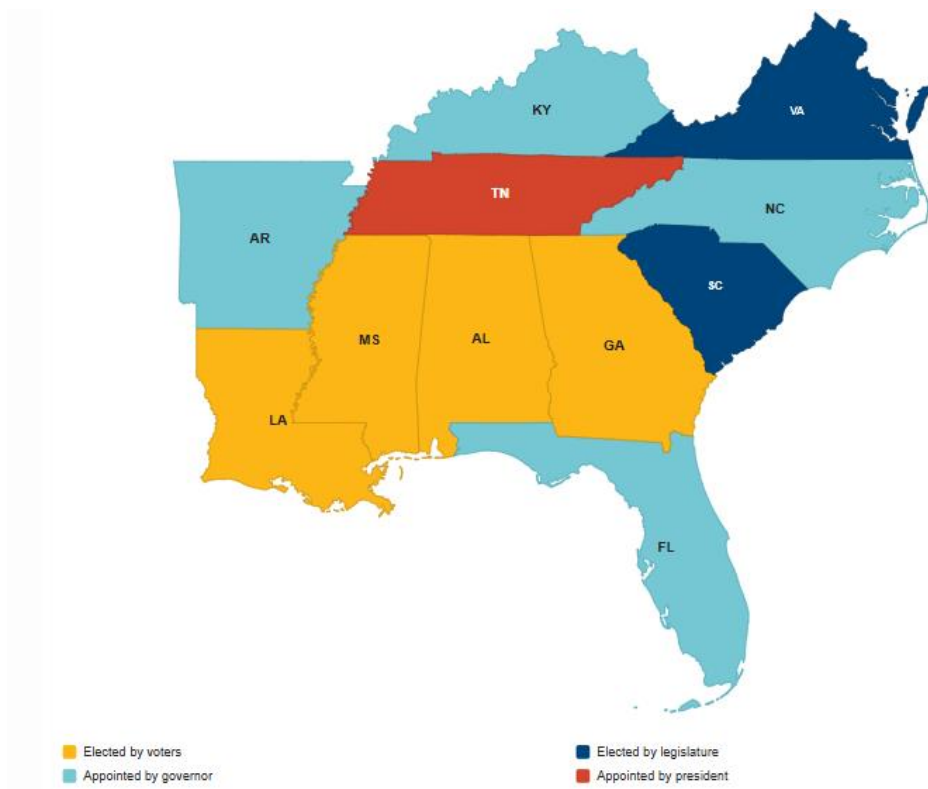
Power & Policy is SEEA's monthly energy newsletter, published to keep members and partners current on the energy policy decisions shaping the Southeast. The newsletter will track developments across four areas: utility regulatory proceedings, state energy legislation, federal policy and investment, and state energy office and program activity. Covering all eleven southeastern states, Power & Policy is your resource for staying informed on the policy decisions that shape the region. This first issue covers a comprehensive snapshot of the region's utility regulatory commissions.

## I. INTRODUCTION

The Southeast is a microcosm of national energy tensions: data centers, nuclear development, the role of clean energy, and the pressure of keeping energy affordable for consumers. Across the region, a wave of change is underway across 11 states from appointments to historic elections. Who sits on public service commissions or public utilities commission's influence energy costs, infrastructure investment, and energy progress for years to come.

## II. HOW COMMISSIONERS ARE SELECTED

<b>Elected by Voters</b>	Alabama, Georgia, Louisiana, and Mississippi all elect commissioners in statewide or district elections.
<b>Elected by Legislature</b>	South Carolina and Virginia commissioners are elected by their state legislatures in joint sessions.
<b>Appointed by Governor</b>	Arkansas, Florida, Kentucky, and North Carolina commissioners are gubernatorial appointments, with some state legislative confirmation requirements.
<b>Appointed by President</b>	In Tennessee, the Tennessee Valley Authority Board of Directors is appointed by the President of the United States and confirmed by the U.S. Senate. It is the only major utility in the Southeast whose governing leadership is at the federal level.



*How Commissioners Are Selected*

### III. STATE-BY-STATE ANALYSIS

#### Alabama — 4 New Appointments, Restructuring, and 2026 Elections

Alabama saw a major restructuring of its utility commission with the Power to the People Act, which also created a new Secretary of Energy cabinet position.

- **The Power to the People Act (HB475):** Signed into law by Gov. Kay Ivey on April 3, 2026, it expands the commission from 3 to 7 geographically based members, freezes electric base retail rates through January 1, 2029, and creates a new Secretary of Energy cabinet position who will oversee commission operations and staff.
- **Commission Expansion:** APSC expands from 3 to 7 commissioners, each representing one of Alabama’s seven congressional districts, with the full transition completed by January 2031.
- **New Commissioner Appointed:** Ron Burgess, Fred Johnson, Demarcus Joiner, and Dr. Quinton T. Ross, Jr. were all appointed by Governor Kay Ivey. Their appointments are effective January 18, 2027.
- **Appointments and Elections:** The governor must appoint 4 new commissioners by July 15, 2026. Starting in November 2026, commissioners will be elected by district, with two seats on the November ballot; incumbents Oden and Beeker III running.
- **New Cabinet Position:** The law created a new Secretary of Energy cabinet position to oversee commission operations and staff. The new appointee will take office by January 2027.

#### WATCH

Power to the People Act implementation — the governor’s four new commissioner appointments (due July 15, 2026) and the first district-based elections in November 2026 will determine the shape of Alabama’s most fundamental utility commission restructuring in a century.

## Arkansas — Stability with a Reappointment

Arkansas' commissioner composition remains stable as the commission grapples with rate increases, the Entergy Arkansas rate case, and new wind energy rules.

- Justin Tate was reappointed by Gov. Sanders in February 2025 for a term through 2031.
- Doyle Webb continues as Chairman; Katie Anderson continues through 2027.
- **Key issues:** Entergy Arkansas rate case, MISO grid integration, wind energy farm rules.

## Florida — Reshaping the Board

Gov. DeSantis appointed Ana Ortega and Bobby Payne in January 2026, replacing former commissioners Art Graham and Andrew Fay. The new commissioners have deep utility expertise.

- **Ana Ortega:** Former Chief Policy Advisor to PSC Chair Mike La Rosa; NARUC background.
- **Bobby Payne:** Former Florida House member (2016–2024); former Seminole Electric Cooperative executive; authored multiple PSC-related bills.
- **Key issues:** TECO Rate Case Appeal, Florida Power & Light rate increase, grid safety, and EV charging policy.

## Georgia — The Biggest Shakeup in the South

In 2020, Georgia's Public Service Commission elections were paused due to a federal lawsuit challenging the commission's at-large election structure. When elections resumed on November 4, 2025, the results were historic.

- **New commissioners:** Alicia Johnson (District 2) and Peter Hubbard (District 3) — became the first Democrats elected to the PSC since 2000.
- **November Election:** Elections will be held on November 3, 2026, which could change the makeup of the Georgia PSC.
- **Key issues ahead:** Data center cost allocation, affordability, and rate payer frustrations over costs.

### WATCH

Two more Georgia PSC seats are on the November 3, 2026 ballot: District 3 (Peter Hubbard's seat) and District 5 (an open race — Commissioner Pridemore announced in February 2026 she will not seek re-election). Primary elections were held May 19, 2026.

## Kentucky — Reform is on the Way

Major reform is underway at KPSC. Senate Bill 8 became law on April 15, 2026, without Gov. Beshear's signature. There are significant changes ahead.

- **Commission Expansion:** KPSC will expand from 3 to 5 commissioners. Two of the five must be licensed Kentucky attorneys with 7 years of active practice experience; the remaining three must have 5 or more years of experience in fields such as engineering, economics, finance, utility regulation, or environmental management.
- **Party and Term Limits:** No more than 3 commissioners may be from the same party; commissioners are subject to a 3-term limit.

- **An Independent Agency:** Under the new law, the KPSC is an independent agency of state government and cannot be reorganized by the Governor.
- **New Commissioner:** Barry Mayfield was appointed on May 2026.
- **Key issues:** LG&E/KU merger, coal plant retirements, nuclear feasibility study mandated by legislature, and surging electricity demand.

#### WATCH

SB8 implementation: within 30 days of the law taking effect, the governor must appoint two new commissioners.

## Louisiana — New Commissioners Coming, New Election Rules

Louisiana will see a new mix of commissioners this fall, with the first closed partisan primaries for PSC races held on May 16, 2026.

- **Two seats on the November 3, 2026 ballot:** Districts 1 & 5. Incumbents Eric Skrmetta (R) and Foster Campbell (D) are both term-limited after a combined 42 years of service. New commissioners take office in 2027.
- **New closed partisan primary system:** For the first time, Louisiana used a closed partisan primary for PSC races in May 2026, replacing the longstanding jungle primary structure. Only one Republican and one Democrat advance to the general election.
- **Utility Sale:** Cleco is up for sale, with private equity buyers Stonepeak and Bernhard Capital Partners in position to acquire it.
- **Key issues:** Entergy Louisiana’s proposed expansion of gas generation capacity, data center load growth, and affordability.

#### WATCH

The November 2026 general elections for Districts 1 and 5, and the Entergy Louisiana gas plant proposal proceedings – via fast-track process.

## Mississippi — Watching and Waiting

Mississippi will have elections in 2027. All three commission seats will be on the ballot.

- **Current commissioners:** Chris Brown (Northern), De’Keither Stamps (Central), and Nelson Wayne Carr (Southern).
- **Key issues:** Entergy Mississippi and data center deals with AWS and AVAIO are expected to be central issues ahead of the 2027 elections. Conversations around affordability are expected to intensify.

## North Carolina — Restructured and Reshuffled

North Carolina’s Utilities Commission underwent both structural and personnel changes in 2024–2025, including a reduction from seven to five members enacted by the legislature.

- **New Commissioner:** John Gada appointed by Gov. Stein in February 2026
- William Brawley elected Chairman July 2025
- Floyd McKissick Jr. reappointed by Gov. Stein, serving through 2029
- Donald van der Vaart appointed by State Treasurer

- **Key issues:** Duke Energy Progress and Duke Energy Carolina merger and rate case, Carbon Plan, and nuclear expansion.

## South Carolina — A Commissioner's Return

South Carolina saw more PSC activity than any other state in the region, with five seats contested across two separate election cycles in 2025 and 2026.

March 4, 2026, elections for Districts 1, 3, 5, and 7 produced the following outcomes:

- **District 1:** Eugene Hennelly
- **District 3:** Mike Caston re-elected
- **District 5:** Swain Whitfield returned — defeated incumbent Headen Thomas.
- **District 7:** Chairman Delton Powers re-elected, retains chairmanship.

### WATCH

V.C. Summer nuclear expansion restart discussions, Duke Energy Carolinas and Duke Energy Progress merger and rate case, and data center grid cost allocation are the defining near-term proceedings for this commission.

## Tennessee — Federal Oversight, Limited State Jurisdiction

Tennessee is a regulatory outlier in the Southeast. The Tennessee Regulatory Authority (TRA) handles state utility regulation, but its jurisdiction is significantly constrained by the dominant presence of the Tennessee Valley Authority, a federal entity whose rates fall entirely outside the TRA's authority.





- **Current TVA leadership:** Mitch Graves of Memphis is serving as Chair of TVA's Board of Directors through April 1, 2027, completing the term of Bill Renick, who resigned.
- **Next:** Jeff Hagood, a Knoxville attorney and current TVA Board director, is expected to take over as Chair after Graves' term concludes.
- **TRA's role:** Retains oversight over natural gas distribution, water and wastewater, and telecommunications. As data center development accelerates in Tennessee, state-level questions about infrastructure investment and rate design may grow.
- **Key issues:** TVA rate decisions (federal jurisdiction), rural broadband, and natural gas distribution oversight at the state level.

## Virginia — Completing a Long-Vacant Commission

Virginia's State Corporation Commission spent nearly two years operating with only one of its three commissioner seats filled, which required recalling retired commissioners to maintain a quorum.

- **2024:** Kelsey Bagot and Samuel Towell were unanimously elected by the General Assembly. Both now serve alongside Chair Jehmal Hudson.
- **Key issues:** Dominion Energy Virginia Clean Energy Act Renewable Energy Portfolio Development Plan and data center load growth in Northern Virginia.

## IV. EMERGING THEMES ACROSS THE REGION

 <b>Data Centers &amp; Who Pays</b>	All across the Southeast, states are grappling with massive load growth from data centers and who bears the associated infrastructure cost.
 <b>Nuclear Revival</b>	SC (V.C. Summer restart debate), NC (Duke Energy expansion), KY (feasibility study), and AL (reform backdrop) are all navigating questions about nuclear’s role in their energy future.
 <b>Ratepayer Frustrations</b>	AL, FL, GA, and NC are all facing significant public frustration over rising utility bills. Southeast commissions are navigating this pressure simultaneously.
 <b>Who Gets Appointed Matters</b>	FL, AL, AR, and KY all illustrate how governors use these low-profile appointments to quietly shape energy policy for years, and how the structure of appointments can move faster than elections.

**Commissioner composition shapes whether DSM gets treated as a resource — and across the Southeast, it varies.** A February 2026 Southern Alliance for Clean Energy analysis found that most Southeast utilities fall below national energy efficiency averages. Duke’s North Carolina and Florida operations tell the story: same company, different commissions, very different outcomes. Georgia and North Carolina are the only two Southeast states with IRA Home Efficiency Rebate programs running. Both states have years of utility investment in EE programs including contractor networks, program infrastructure and customer relationships, experience that State Energy Offices was able to lean into and take advantage of. The commissioners coming into office in 2026 and 2027 will set the terms for DSM investment, IRP savings targets, and whether efficiency competes on equal footing with supply-side resources in integrated resource plans.

## V. NEW COMMISSIONERS AT A GLANCE

State	New Commissioner(s)	How Selected	Effective	Model
Alabama <sup>1</sup>	Ron Burgess, Fred Johnson, Demarcus Joiner, Dr. Quinton T. Ross, Jr	Gov. Appt.	Jan 2027	Appointed
Arkansas <sup>2</sup>	Justin Tate (reappt.)	Gov. Appt.	Feb 2025	Appointed
Florida <sup>3</sup>	Ana Ortega, Bobby Payne	Gov. Appt.	Jan 2026	Appointed
Georgia <sup>4</sup>	Alicia Johnson, Peter Hubbard	Voter Election	Jan 2026	Elected
Kentucky <sup>5</sup>	Andrew Wood and Barry Mayfield	Gov. Appt.	2025/2006	Appointed
Louisiana <sup>6</sup>	TBD — Nov 2026 election	Voter Election	2027	Elected

<sup>1</sup> Alabama PSC - <https://psc.alabama.gov/about-us/>

<sup>2</sup> Arkansas PSC - <https://apsc.arkansas.gov/commission-info/>

<sup>3</sup> Florida PSC - <https://www.psc.state.fl.us/about>

<sup>4</sup> Georgia PSC - <https://psc.ga.gov/about-the-psc/commissioners/>

<sup>5</sup> Kentucky PSC - <https://psc.ky.gov/Home/Commissioners>

<sup>6</sup> Louisiana PSC - <https://www.lpsc.louisiana.gov/>

State	New Commissioner(s)	How Selected	Effective	Model
Mississippi <sup>7</sup>	Election 2027	Voter Election	N/A	Elected
North Carolina <sup>8</sup>	Brawley, McKissick, Gada, van der Vaart	Gov/Legislature	2025–2026	Appointed
South Carolina <sup>9</sup>	Hennelly, Caston, Whitfield, Powers	Legislature	2025–2026	Legislative
Tennessee (TVA) <sup>10</sup>	Mitch Graves (Chair, through 2027)	Presidential Appt.	2026	Federal
Virginia <sup>11</sup>	Kelsey Bagot, Sam Towell	Legislature	2024	Legislative

## VI. WHAT TO WATCH IN 2026 AND BEYOND

- **Georgia PSC elections (November 3 general, 2026):** District 3 (Hubbard’s seat) and the open District 5 seat (Pridemore not running).
- **Louisiana PSC elections (November 3, 2026):** Two open seats, a new primary system, Republican runoff in District 1 on June 14, 2026.
- **Alabama Power to the People Act:** The most dramatic structural overhaul of a Southern utility commission in decades — four new governor-appointed seats due by July 15, 2026, followed by the first district-based elections in November 2026, and a base rate freeze through January 2029.
- **South Carolina V.C. Summer restart:** The commission that originally approved the project now includes its former chair.
- **North Carolina — Duke Energy Progress rate case:** Duke Carolina and Duke Progress merger approved.
- **Florida TECO rate case appeal:** One of the first high-profile proceedings before the newly constituted commission.

COMING IN ISSUE 2

August 2026 — Southeast Regulatory Updates

<sup>7</sup> Mississippi PSC - <https://www.psc.ms.gov/>

<sup>8</sup> North Carolina Utilities Commission - <https://www.ncuc.gov/Overview/commissioners.html>

<sup>9</sup> South Carolina PSC - <https://psc.sc.gov/about-us/commissioners>

<sup>10</sup> TVA Board of Directors - <https://www.tva.com/about-tva/our-leadership/board-of-directors>

<sup>11</sup> Virginia State Corporation Commission - <https://www.scc.virginia.gov/about-the-scc/about-the-commissioners/>