



## **Statement on Ruling in Georgia Public Service Commission Election Case**

August 8, 2022

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Last week, a federal judge ruled the state of Georgia must end statewide elections for the Georgia Public Service Commission (PSC) because it discriminates against Black voters and dilutes Black voting power, a violation of the 1965 Voting Rights Act (VRA).

The PSC is responsible for regulating utility companies, including Georgia Power. A lawsuit, filed in 2020, argued that decisions made by the PSC such as the one to resume disconnecting power from homes - after the practice was suspended for the pandemic - disproportionately impacted Black Georgians, and had been made by a board with no Black members.

The Partnership for Southern Equity (PSE) sees this as a win for Georgia residents who are not fully represented by the PSC due to an archaic election process that requires at-large representation. “We applaud the plaintiffs in this case for their successful arguments and courage to fight on behalf of Black and historically marginalized communities across the state,” said PSE’s founder and Chief Equity Officer, Nathaniel Smith. “We are hopeful that the process will be fairer and more just for everyone as a result of this ruling.”

The plaintiffs noted that only one Black candidate has ever won an election to the Public Service Commission in its 143-year history.

For PSE, this ruling is a significant step towards greater equity and democratizing energy for many Georgians. According to the American Housing Survey (2017), 25% (30.6 million) of U.S. households face a high energy burden (i.e., pay more than 6% of income on energy bills) and 13% (15.9 million) of U.S. households face a severe energy burden (i.e., pay more than 10% of income on energy). The South tends to bear a disproportionate burden due to stagnant wages, historic Jim Crow policies, and aging infrastructure.

According to Georgia Tech’s Climate and Energy Policy Lab, Atlanta ranks 4th highest in median energy burden levels (behind Memphis, New Orleans and Birmingham) and 3rd highest among low income household populations. Atlanta’s high energy burden is particularly acute among low income, African-American and renter households.

The preservation of democracy is a precondition for equity and we support the legal finding of this case. When U.S. District Court Judge Steven Grimberg wrote his decision, he said “while delaying elections for Districts 2 and 3 until a later date will regrettably cause disruption to the candidates currently running for those offices, the court does not find that such disruption outweighs the important VRA interests that are implicated.”