THE NEWSLETTER OF THE STATE'S LEADING CONSUMER WATCHDOG

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MORE TRANSPARENCY NEEDED AT MEMBER-OWNED UTILITIES

By Danny Orrock

This past fall, families and businesses all over Georgia voiced their opinion about a proposed rate increase from Georgia Power. Many people wrote their

Public Service Commissioners and attended public meetings. while a few even took the time to download filings by the utility. This example of public involvement was made possible by the laws and rules that require PSC meetings and documents to be open to the public.

With more than 2 million customers, Georgia Power is the largest single electricity provider in our

state. But 4.5 million customers get their power from the 42 Electric Membership Corporations (EMCs) in Georgia, whose rates are not regulated by the PSC.

Unlike an investor-owned utility, whose shareholders choose to purchase stock in the utility, an EMC is owned by its members. While Southern Company shareholders have chosen to buy their stock, EMC members are captive investors simply because of where they live or locate their business. Members can participate in EMC matters by attending the annual meeting and electing the board that steers the organization. If the EMC operates in the black, it is expected to return excess revenue back to members.

EMC boards are distinct from the PSC in that they do not have to open their meetings to the public. Though the law provides a way for members to

access the books and records, there are several broad exceptions to this that EMCs can invoke to force a ratepayer to go to court in order to keep an eye on their electric utility.

F u n d a m e n t a l determinations like power rates and capital expenditures should not be made in the dark – if Georgia Power customers can participate, there's no reason EMC customers shouldn't have the same opportunity.

Transparency benefits members and the utility. The situation at Cobb EMC would likely not be so contentious if members had been allowed to meaningfully engage with the board and management several years ago.

A few simple steps toward openness at Georgia's EMCs would provide better opportunities for involvement of members:

 Make books and records, as well as any documents related to the business of the EMC, available for examination and reproduction by members. Copying costs should be reasonable.

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HELP US HELP YOU

Donate to Georgia Watch

By donating a small sum to Georgia Watch you can become a member! Members receive free quarterly issues of The Watcher, plus a 100 percent cotton Georgia Watch t-shirt by Alternative Apparel as a special thank-you for donations! Just tell us what size to send you.

Because we are a nonprofit organization, every penny you donate is tax-deductible. Your financial assistance makes it possible for us to continue fighting for you.

Consumer expert and Georgia Watch board member Clark Howard says we are "the only bona fide group in Georgia looking out for consumers" and a donation to Georgia Watch is "double the bang for your buck because you're helping a great organization that's working for you and you get savings back on your income tax."

You can view an entire video message from Clark and make a tax-deductible contribution online at www.georgiawatch.org



Georgia Watch Board Member Clark Howard

CONSUMER ALERT: HOME IMPROVEMENT FRAUD

By Ashley Wilson

We here at Georgia Watch recently became aware of a great resource for homeowners seeking an honest, efficient home contractor.

The National Center for the Prevention of Home Improvement Fraud (NCPHIF) is a nonprofit based in Atlanta that works to eliminate home contractor fraud.

I spoke with NCPHIF executive director Phae Howard to learn more about this increasingly prevalent issue.

What is home improvement fraud and what got you involved in helping consumers avoid it?

Howard: My grandmother was financially and emotionally victimized by an unscrupulous contractor. I don't know how much money she lost, but I absolutely remember the pain in her face. That will be with me always. After years of hearing stories about people being taken advantage of, I realized that, like my grandmother, many homeowners are not equipped with the information and resources to avoid

becoming a victim of home improvement or home repair contractor fraud. That is why it is my personal goal, and the mission of NCPHIF, to arm potential



NCPHIF Executive Director Phae Howard

victims with necessary tools to avoid similar situations. With an ever-growing population of potential fraud victims including senior citizens, disaster/storm victims, first time homebuyers, low income and rural communities, non-English speaking individuals and women, now more than ever, the need for NCPHIF is urgent. We want NCPHIF

to be an unbiased place for homeowners to go with their questions and concerns regarding home improvement/repair projects, hiring contractors, avoidina home improvement/home repair fraud. By providing this resource, consumers can avoid being victimized by fraudulent claims, illegal contracts, large upfront deposits, lost payments, shoddy construction, and liens on the property they have worked so hard to acquire, all examples of home improvement/repair fraud.

How can a homeowner distinguish between a "good" contractor and one that might be trying to rip them off?

Howard: We are contacted by homeowners at every educational and economic level who have been scammed or ripped off. The commonality among these homeowners is this: The due diligence required to minimize fraud was not done before the homeowner hired the contractor or signed the contract. Homeowners must research contractors, their companies, licenses,

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GEORGIA WATCH CALLS FOR LOW-INCOME WINTER HEATING AID

By Jonathan Shapiro

After a formal request from Georgia Watch, the Public Service Commission voted unanimously last month to release \$5 million from a

special fund to help seniors and low-income customers pay their natural gas bills in the wake of extreme weather conditions.

Four million dollars will be credited to qualifying low-income seniors on the Atlanta Gas Light distribution system. The money will show up as a line item credit on gas bills. The Salvation

Army will receive the remaining funds and open the application process to all low-income AGL customers, regardless of age.

According to the PSC's order, individual credits in all cases are not to exceed \$300.

"We applaud the PSC for acting

quickly to address a situation that has reached emergency levels," said Georgia Watch executive director Angela Speir Phelps, a former public

service commissioner herself. "The recession has hit consumers hard and recordlow temperatures are exacerbating an already dire situation."

The \$5 million will be disbursed from the PSC's Universal Service Fund (USF), one of the purposes of which is to assist low-

income residential consumers in times of emergency. As of December 2010, the USF balance was approximately \$30 million.

The new funds will supplement the state's rapidly dwindling resources from the Low Income Home Energy Assistance Program (LIHEAP), a

federal program created to help residents pay utility bills during the warmest and coldest months.

Many community groups tasked with distributing LIHEAP funds are reporting exceptionally high demand as a result of the record-low temperatures. Earlier this month, Fulton Atlanta Community Action Authority was forced to stop accepting new LIHEAP applications due to exhaustion of funds. Joyce Dorsey, CEO of the Fulton agency, has stated that recent demand for financial aid is the worst she's seen in 20 years.

"It's awfully cold out there and this \$5 million will make a real difference in helping residents keep their heat on," said Speir Phelps.

For more information on LIHEAP, check the Public Service Commission's website at www.psc.state.ga.us, as well as www.liheap.org.



GEORGIA WATCH PUSHES ETHICS REFORM WITH BROAD COALITION

By Danny Orrock

Made up of a broad coalition of watchdog and educational groups, the Georgia Alliance for Ethics Reform is urging Georgia lawmakers to take

further steps to strengthen the state's ethics laws.

The Alliance includes Georgia Watch, Common

Cause, the state chapter of the Tea Party Patriots, and the League of Women Voters.

"The people of this state want action now, and the fact that such a broad alliance as this one has formed, is evidence of that," said former Georgia House Minority Leader and current Alliance member Bob Irvin.

The Alliance is calling for ethics reform in four main areas:

 Lobbyist Gifts and Reporting – limit the amount of any one gift to \$100, explicitly define permitted expenses and improve timely reporting of the gifts.State Ethics Commission – rename

commission to the "State Ethics Commission", restore rule making

authority, include all public officials in its oversight, toughen fines and overhaul the appointment process for

commissioners.

Georgia

Ethics Reform

- Campaign and Political Action Committee (PAC) Limits – require PACs to disclose all expenditures, limit transfers out of a candidate's campaign account to other candidates and limit use of campaign funds to legitimate campaign expenses.
- Conflicts of Interest and Misconduct
 stop public officials and their families from holding state contracts, stop members of the General Assembly from serving as lobbyists, extend the "revolving door" prohibition on lobbying

to the executive branch and legislative staff members and require financial disclosure by department heads and members of major state boards and commissions.

After a comparison between Georgia and other southeastern states, the Alliance has determined that Georgia is trailing on many of the most basic ethical standards.

"We have some catching up to do," Irvin said.

The Georgia Alliance for Ethics
Reform came together specifically to
fight for strong ethics reform under
the Gold Dome and across the state.
We invite all groups and individuals
with an interest in stronger ethics
legislation to join the Alliance at
www.georgiaethicsreform.com

GEORGIA WATCH HEALTH WEBSITE LAUNCHED

By Holly Lang

As the official website of Georgia Watch's Hospital Accountability Project, www.GaHAP.org provides a breadth of information about hospitals, pricing, coverage and low-cost options for care.

Through an interactive map that allows consumers to click on their region of the state, Georgians are able to learn more about the hospitals in their community.

Included in hospital listings are links to hospital websites, including links to pages providing information about financial assistance policies, eligibility requirements and applications. In addition, the average mark-up of the hospital is listed, as are certain quality measures.

As many consumers need low-cost options for care, contact information on local community health centers, including Federally Qualified Health Centers, is available on the site. Visitors can also read about key public health

data, which is provided by the Partner Up! for Public Health campaign.By knowing more about their community, consumers can become more engaged and work together to solve some of the health problems that may surround them.

To help consumers stay as informed as possible, GaHAP.org also publishes



interviews with key healthcare stakeholders, community leaders and policymakers.

In addition, the site will regularly feature issue briefs on crucial topics, such as health reform, medical debt and hospital community benefits. The site also hosts all reports and white papers authored through the project, including its comprehensive Metropolitan Atlanta Hospital Accountability Project. Finally, the site will also link to relevant news and information from media outlets across Georgia, giving consumers the chance to learn what's happening throughout the state.

Consumers are encouraged to visit regularly www.GaHAP.org as content is added weekly.

If you would like to share your story, provide feedback or suggest new information, please use the site's "contact us" form to get in touch.

GEORGIA WATCH STANDS UP FOR GEORGIA POWER RATEPAYERS AGAINST \$2.1 BILLION RATE HIKE

By Clare McGuire

In late December, the Public Service Commission voted to allow Georgia Power a cumulative rate increase of \$2.1 billion over the next three years, an amount that raises monthly electric bills

for the average residential ratepayer this year by more than \$10 per month. That amount increases incrementally to over \$15 per month by 2013.



The 4-1 decision approves a first year total increase of \$562 million, a second year increase of \$752 million, and a third year increase of \$844 million. By 2013, annual electric bills will go up by more than \$175.

The rate case decision reflects a genuine disconnect between PSC regulators and Georgia's families.

Despite widespread opposition by a broad coalition of consumer groups and business customers, four commissioners voted in favor of the rate increase: Stan Wise, Lauren "Bubba" McDonald, Doug Everett, and Chuck Eaton. Former commissioner Robert Baker was the only "no" vote.

Georgia Watch formally intervened in the rate case and submitted an alternative ratepayers' proposal that would have cut the rate hike in half and set a ceiling of 10.75 percent on Georgia Power's allowed profit margin, a figure supported by the PSC's own expert witness.

However, the PSC voted to set the company's profit ceiling at 12.25 percent and to allow the electric company to keep one-third of all profits above that number.

In contrast, the alternative ratepayers' proposal put forth by Georgia Watch and groups representing senior citizens and commercial and industrial customers provided for all earnings above 10.75 percent to be refunded to customers. Despite support by representatives of this wide array of customer classes, the

commission did not adopt the proposal. In one of the most troubling aspects of the PSC decision, Georgia Power will now have the option to sidestep a full review process on future rate

increase requests. If its profit margin dips below 10.25 percent, the electric company will be allowed to file for rate hikes in an abbreviated 90-day proceeding in lieu of the well-established six-month formal review process.

This new procedure sets a bad precedent. A shorter review process means less scrutiny for Georgia Power by the PSC and ultimately a less transparent rate process.

The rate case decision and accompanying rate hike went into effect in January.

In addition to the base rate increase approved by the PSC, ratepayers are now seeing a new fee on their electric bills associated with the construction of two nuclear units at Plant Vogtle near Augusta. The Nuclear Construction Cost Recovery (NCCR) fee adds a separate charge of \$3.73 per month, effective January 2011. This amount is almost triple what Georgia Power initially said it would be and will increase incrementally to \$8.71 per month by 2015. As a result of the huge base rate increase and the NCCR fee, the average customer bill in 2011 will increase by more than \$14 per month.

See below for a detailed chart on Georgia Power's PSC-approved rate increases since 2003. The chart is split into three categories: Base rate increases (which Georgia Power must formally request from the PSC), fuel cost recovery fees (Georgia Power is expected to file for its next fuel cost increase in March), and the Plant Vogtle fees NCCR explained above.

According to the numbers below, base rates alone have gone up by more than \$19 per month since 2005. That's nearly \$230 per year for the average ratepayer.

GEORGIA POWER RATE INCREASES

(BASED ON AVERAGE RESIDENTIAL RATEPAYER USING 1000 KWH PER MONTH)

	1. Base Rate		2. Fuel Cost Recovery*	3. Plant Vogtle Nuclear Construction Cost Recovery (NCCR)	Total Monthly Increase
	Annual Increase (millions)	Monthly Increase	Monthly Increase	*Projected* Monthly Increase	
2003	-	-	\$0.72	The Georgia	\$0.72
2004	-	-	-	legislature passed the Nuclear Energy Financing Act (Senate Bill 31) in 2009. It allows Georgia Power to	-
2005	\$194	\$3.10	\$6.39		\$9.49
2006	-	-	\$5.00		\$5.00
2007	-		\$5.00		\$5.00
2008	\$321.7	\$5.24	\$2.93	collect Vogtle construction costs	\$8.17
2009	-	-	-	from customers as of	-
2010	-	-	\$5.58	January 2011.	\$5.58
2011	\$562.3	\$10.76		\$3.73	\$14.49
2012	\$189.7	\$3.08		\$1.44	\$4.52
2013	\$92.6	\$1.48		\$1.50	\$2.98
2014				\$1.22	\$1.22
2015				\$0.82	\$0.82
2016					
2017					
TOTAL	\$5.83 billion (by 2013)	\$23.66 (by 2013)	\$25.62	\$8.71	\$57.99

KEEP HEALTH POLICIES IN-STATE

By Danny Orrock

A recently filed bill poses a real threat to the consumer protections that exist in the Georgia market for health insurance.

House Bill 47, which was introduced by Representative Matt Ramsey (R-Peachtree City), would permit out of state insurance policies to be sold cancer and heart disease. Those who find out late about such a malady face a significant risk of death or disability and may be uninsurable as a consequence. In fact, the bill authors acknowledge as much in that HB 47 requires a disclosure that someone who leaves Georgia health insurance for an inferior product from

out-of-state may become uninsurable as a result of getting screenings that would not be covered in a plan from another state. Coverage for screenings is important because without it people are much less

likely to catch serious illnesses in early, treatable stages. The result is a lot of unnecessary pain and much higher costs, which are often shouldered by taxpayers.

A similar measure passed the House in 2010, but was held up in the Senate after concerns were raised about a lack of coverage for key women's health screenings. HB 47 will most likely be a polarizing piece of legislation in 2011, as there appears to be little room for compromise between opponents and supporters. We'll keep you posted on the status of this bill during the remainder of the 2011 General Assembly.

EMC continued from page 1...

- Require an EMC to respond to a member's request for information promptly. If the information is not available immediately or not subject to inspection, then the EMC should provide a date when it will be ready or redact sensitive data and explain the specific reason why it will not be provided.
- Allow members access to an up-todate membership list, a crucial resource when running for EMC board positions. Comprehensive information on elections should be included in bill inserts at least twice before board nominations.
- Members should be allowed to attend board meetings, and written records of meetings should be maintained for three years. In instances where the board needs to discuss trade secret information or sensitive personnel matters, closed-door executive sessions should be allowed. However, all final decisions should be conducted in front of members.

By and large, the EMCs in our state serve their members well. For that very reason, EMCs should not have a problem with ensuring that their members are able to be engaged. Georgia Power customers have the right to get involved with the bottom-line utility issues that affect them. It's time to set the same standard for EMC members.





in Georgia. By allowing out of state insurance policies, we're substituting the laws that our legislature has enacted and our insurance commissioner enforces with regulations from another state where Georgia voters have no

In short, this bill is nothing more than a backdoor attempt to erode consumer protections on health insurance.

HB 47 threatens the economic stability of our health insurance market. While healthy individuals might move to an out-of-state plan to save a few dollars, in-state plan premiums will skyrocket in order to pay for the higher claims of a costlier insurance pool. In addition, if a consumer has a claims dispute, it is unclear whether Georgia law would apply. An aggrieved health insurance consumer might have to go to court in another state to address wrongdoing by an out-of-state insurer.

The risks posed to individuals who move to out-of-state plans are serious as well. Someone who does not have a plan that covers screenings for chronic diseases is far less likely to get checked out. Early detection is key in the fight against potentially terminal diseases, such as

GeorgiaWatch THANKS YOU

We here at Georgia Watch rely on membership donations to sustain our advocacy efforts. We'd like to thank the following members for their steadfast support through the years.

JOE NEAL JR.

KELLY THRASHER, MD & ADRIENNE HOBBS

FRAUD from page 2...

references, projects, insurance coverage, association, contract terms, etc. before engaging in a home improvement or repair project.

We hear horror stories every day about homeowners who hired a family friend to do some work, and were shocked when they were ripped off. Or the homeowner who used a contractor referral service without any further research and ended up in a bad contract with shoddy work and no resolution. A recent call was from a woman who said the deacon in her church took her money up front for work he was going to do, and has never come back to finish the job. Trust is a great thing, but due diligence gives you a reason to have it.

I like to know that a contractor is an active member of a trade organization that has criteria in addition to the payment of a fee to be a member. And I will not deal with any contractor, residential or general, who is not state licensed for a project that requires a state license, or if they claim to be a corporation or LLC, I make sure they are registered with the Secretary of State.

What steps should people take to protect themselves once they're ready to hire a contractor?

Howard: Get four references, not three

(he's got three ready for the asking), and ask that at least one be a referral where he had to return to fix a problem he left behind.

Check the Better Business Bureau in your state, as well as in surrounding states.

Make sure to contact your insurance



agent to make sure there are no gaps in insurance coverage, who is responsible if materials are stolen off your property, etc.

Have a trusted advisor/attorny review your contract if you have questions and don't sign anything you don't understand.

Make sure your contract states how any conflict resolutions or corrective actions will be handled. You want to have this

ironed out before any problems arise.

Keep a daily log of work performed (i.e., people on site, weather conditions, hours worked, etc.).

Take good pictures throughout the project. Let the contractor see you are very involved in your project.

Secure your valuables and that doesn't mean just jewelry; that includes anything with your personal information on it (i.e., name, address, social security number, bank accounts, credit cards, etc.).

What resources are available for consumers who would like to learn more?

Consumers can visit our website at www.preventcontractorfraud.org or call us at (404) 504-6210.

If outside the state of Georgia you can call toll-free (855) 2-NOFRAUD.

We schedule workshops which are free and open to the public throughout the year and we list those workshops on our website.

Also, consumers can contact us if they would like a workshop in their area or would like to be added to our mailing list.



FACT BOX: HOME CONTRACTOR FRAUD

According to NCPHIF, the following are some of the most common home contractor scams.

The "Free Roof" Scam

A contractor tells you they will pay your insurance deductible for you. Do not do it! This is a big fraud red flag! There is no such thing as a free roof. Contact your insurance agent for guidance.

The "Free Inspection" Scam

Inspections should be initiated by a phone call from you, not a contractor or sales person coming to your door. Never open the door. When you invite a solicitor into your home, you are creating an opportunity for someone to find and/or create new damage to your property, rob you of your possessions, steal your identity, and potentially physically harm you.

The "Hail Storm Damage" Scam

Many times hail storms are not severe enough to cause hail damage on your roof. Before you believe a contractor's opinion that you have severe hail damage, check to see if you have hail damage at ground level (i.e., your car, air conditioning unit, grill, etc).

The "Pulling the Building Permit Yourself" Scam

This is never a good idea. It is the contractor's responsibility to pull the permit, perform the work, and manage the inspections. If you pull a permit yourself, you may set yourself up for a variety of code compliance and/ or liability issues that you may not be knowledgeable of. If the contractor gets the permit then he is on the hook if anything goes wrong.

Pre-payment Schemes

Homeowners should never prepay for home improvement or home repair work projects. Payment schedules should be part of your contract with defined amounts to be made payable upon deliverables. A reputable contractor will have no problem with this.

Greenwashing

With wonderful words like "energy efficiency" and "eco-friendly", going "green" is the latest trend for home improvement/repair projects, and dishonest contractors are looking to cash in. Do not just take someone's word that a product is energy efficient or environmentally friendly, research the product yourself at websites like www.energystar.gov

NEWS FROM.... THE DIRECTOR'S CHAIR



BY ANGELA SPEIR PHELPS

During the cold, snowy days of winter we crave sunshine. It's good for our spirit and our health. Sunshine is also good

for the health of our political process. Supreme Court Justice Louis Brandeis said sunshine is the best disinfectant, a profound



statement that rings as true today as when Justice Brandeis first said it decades ago.

Our government belongs to us - we the people - and we have a right to know how and why decisions are rendered on our behalf. It's crucial that citizens and the press have access to information. The people's business should not be conducted in the dark. A high level of openness is an identifying characteristic of democracy.

For these reasons, Georgia Watch supported Senate Bill 17 during the 2010 session which provided stronger ethics reform including restrictions on lobbyists giving gifts to legislators and capping the amount of gifts, and full disclosure of money spent by lobbyists on legislators for travel and entertainment. On April 19, 2010 Georgia Watch publicly noted that the bill as written would allow lobbyists to

pay for travel for public officials without disclosing it - including airfare, meals, and hotel accommodations - as long as the travel was related to bringing a public official to a meeting (even if that meeting were held in Paris, France). Under the proposal, a lobbyist could legally buy a legislator a first class trip to the tropics, including plane ticket, room at the Ritz Carlton, and room service and it would not have to be disclosed if the trip was for the purpose of a meeting.

We pointed out this glaring flaw and insisted that the public has a right to know how much money lobbyists spend on legislators. The following morning, April 20, 2010, the troublesome language was removed. Lobbyists are now required to disclose this information.

We realized the importance of this provision when we advocated for full disclosure, but who knew that just eight months later this pivotal language would ensure disclosure of a \$17,000 trip taken by the Georgia Speaker of the House to Germany - a trip paid for by lobbyists. There may be very legitimate reasons for a lobbyist to pay for travel for an elected official for educational purposes but the public has a right to know, ask questions, and hold accountable those elected to represent us. If Georgia Watch weren't watching out for loopholes - none of us would be aware today of the Speaker's recent European excursion.

This year, Georgia Watch is working to strengthen ethics laws and has joined a broad coalition called the Georgia Alliance for Ethics Reform. Read more about the Alliance on Page 3.

are also strongly advocating for greater transparency and access to information for **EMC** (Electric Membership Corporation) customers. Please see a reprint in this newsletter of a Georgia Watch OpEd published earlier this month in the Atlanta Journal-Constitution regarding why EMC transparency is critical to millions of Georgians.

As Georgia Watch enters our ninth year of consumer advocacy we stand on the shoulders of many who have supported us through the years. Please know that when you contribute to us - no matter how small or large the amount - we are grateful.

We thank you for your steadfast support. Without the generous contributions of our members, we could not do the good work we do. At Georgia Watch, we know it is action, not apathy that will mold our future. We refuse to sit on the sidelines and listen as the din of special interest drowns out average Georgians. We are working hard on your behalf and we ask that you continue to stand beside us and support our efforts.

Thank you. Please call me or any of our staff at anytime we can help you.

For the very latest consumer news, check out Georgia Watch on Facebook and Twitter





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Georgia Watch Board Member

Clark Howard:

"Georgia Watch is the only bona fide group in Georgia looking out for you and me as consumers."

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Georgia Watch has been the state's leading consumer watchdog for nine successful years!

We impact policy and provide education in the areas of healthcare, foreclosure, consumer energy policy, predatory lending and identity theft.

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GeorgiaWatch is OUTSPOKEN

In 2010, Georgia Watch reached thousands of Georgians statewide through consumer workshops and outreach. We will continue to get out into the community to help consumers and provide education about important issues.

You can book Georgia Watch for a speaking engagement or consumer workshop by calling (866) 33-WATCH!