



**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
BIRMINGHAM DIVISION**

**ROBERT B. SANSOME and
GAIL SANSOME,**

Plaintiffs,

v.

**HOAR CONSTRUCTION, LLC;
LAKESHORE DATA CENTER, LLC;
NEBIUS, INC.; THE CITY OF
BIRMINGHAM, ALABAMA; et al.,**

Defendants.

Case No. CV-2026-902889.00

**PLAINTIFFS' NOTICE OF INTENT TO SERVE SUBPOENA FOR PRODUCTION OF
DOCUMENTS, ELECTRONICALLY STORED INFORMATION, AND THINGS ON
NON-PARTY ALABAMA POWER COMPANY**

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that, pursuant to Rule 45(a)(3)(A) of the Alabama Rules of Civil Procedure, Plaintiffs Robert B. Sansome and Gail Sansome intend to serve the attached Subpoena for Production of Documents, Electronically Stored Information, and Things upon non-party Alabama Power Company, an Alabama corporation (Alabama Secretary of State Entity ID 000-000-596), through its registered agent, Teresa G. Black, 600 North 18th Street, Birmingham, Alabama 35203, upon the expiration of fifteen (15) days from the service of this Notice.

A copy of the proposed subpoena, including Exhibit A setting forth the definitions, instructions, and the specific documents, electronically stored information, and things to be produced, is attached to this Notice.

The subpoena seeks (1) all documents and information in the possession, custody, or control of Alabama Power Company regarding the proceedings before the Zoning Board of Adjustment of the City of Birmingham in Case Nos. ZBA2026-00006 (the switching station) and ZBA2026-00007 (the substation at 260 Milan Parkway), including the public hearings held on February 26, 2026 and March 26, 2026; and (2) all documents regarding the substation and switching station intended to serve the BHM01 data-center project in Oxmoor Valley, including without limitation all permits, approvals, agreements, and plans.

Pursuant to Rule 45(a)(3)(B), any person or party may serve an objection to the issuance of the subpoena within ten (10) days of the service of this Notice. If a timely objection is made, the subpoena shall not issue. If no timely objection is made, the Clerk shall issue the subpoena

upon the expiration of fifteen (15) days from the service of this Notice, and Plaintiffs will serve the subpoena in the manner provided by Rule 45(b)(1).

Pursuant to Rule 45(a)(3)(D), Plaintiffs will make available a duplicate of any copies obtained pursuant to the subpoena at the request of any other party upon payment of the reasonable cost of making such copies.

Respectfully submitted this 22nd day of September, 2026.

Respectfully,

/s/ K. Mark Parnell

K. Mark Parnell

OF COUNSEL:

PARNELL THOMPSON, LLC
120 19th Street North, Suite 2134
Birmingham, AL 35203
(205) 582-2766
parnell@ptlawllc.com

s/ Donald R. James, Jr

Donald R. James, Jr.

s/ Joel E. Dillard

Joel E. Dillard

/s/ David McKnight

David McKnight

OF COUNSEL:

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/s/ U. W. Clemon
 U. W. Clemon

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 Phone: (205) 506-4524
 uwclemon1@gmail.com

Counsel for the Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of September 2026, a copy of the foregoing has been served on all counsel of record through the AlaFile Electronic Filing System.

Andrew B. Johnson, Esq.
 BRADLEY ARANT BOULT CUMMINGS LLP
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 Birmingham, Alabama 35203

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Birmingham, Alabama 35209

/s/ Donald R. James, Jr.
Donald R. James, Jr.

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
BIRMINGHAM DIVISION**

**ROBERT B. SANSOME and
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v.

**HOAR CONSTRUCTION, LLC;
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Defendants.

Case No. CV-2026-902889.00

**SUBPOENA FOR PRODUCTION OF DOCUMENTS, ELECTRONICALLY STORED
INFORMATION, AND THINGS TO NON-PARTY**

TO: ALABAMA POWER COMPANY
c/o Teresa G. Black, Registered Agent
600 North 18th Street
Birmingham, Alabama 35203

YOU ARE HEREBY COMMANDED, pursuant to Rule 45(a)(3) of the Alabama Rules of Civil Procedure, to produce and permit inspection and copying of the documents, electronically stored information, and tangible things described in Exhibit A attached hereto, which are in your possession, custody, or control, at the place, date, and time specified below:

PLACE: Dillard, McKnight, James & McElroy, LLP, 2700 Highway 280, Suite 110 East, Birmingham, Alabama 35223, Attn: Donald R. James, Jr. Production may alternatively be made electronically to rjames@dillardmcknight.com and parnell@ptlawllc.com.

DATE AND TIME: October 23, 2026, at 10:00 a.m.

This subpoena is issued following service of Plaintiffs' Notice of Intent to Serve Subpoena on all parties on September 22, 2026, and the expiration of the fifteen-day period provided by Rule 45(a)(3)(A) without objection. Any party to this action is entitled to be present at the time and place of production and to obtain duplicates of any copies produced upon payment of the reasonable cost of making such copies.

You need not appear in person at the place of production. You may comply by delivering the responsive materials, or legible copies of them, to the place designated above on or before the date and time specified, and you may condition the preparation of copies upon the advance payment of the reasonable cost of making such copies. See Ala. R. Civ. P. 45(a)(3)(C), 45(c)(2)(A).

NOTICE TO THE PERSON SERVED — RIGHTS AND DUTIES UNDER RULE 45(c) AND (d)

1. Objections. Rule 45(a)(3)(B) permits any person or party to serve an objection to the issuance of this subpoena within ten (10) days of service of the Notice of Intent, in which case the subpoena shall not issue. Separately, under Rule 45(c)(2)(B), a person commanded to produce and permit inspection and copying may, before the time specified for compliance, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials. If objection is made, the party serving the subpoena shall not be entitled to the materials except pursuant to an order of the court, and may move at any time for an order to compel the production.

2. Protection from undue burden. Rule 45(c)(1) requires the party or attorney responsible for the issuance and service of a subpoena to take reasonable steps to avoid imposing undue burden or expense on the person subject to the subpoena. Rule 45(c)(3) permits the court, on timely motion, to quash or modify a subpoena that fails to allow reasonable time for compliance, requires disclosure of privileged or other protected matter and no exception or waiver applies, or subjects a person to undue burden, and to condition compliance on reasonable compensation where appropriate.

3. No appearance required. Under Rule 45(c)(2)(A), a person commanded to produce and permit inspection and copying of designated documents, electronically stored information, or tangible things need not appear in person at the place of production unless commanded to appear for deposition, hearing, or trial. Production may be made by delivering the materials to the place designated below, or, if the person served so elects, by delivering legible copies conditioned upon advance payment of the reasonable cost of making such copies, as provided in Rule 45(a)(3)(C).

4. Form of production. Under Rule 45(d)(1), a person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand, and shall produce electronically stored information in the form or forms requested or, if no form is specified, in the form in which it is ordinarily maintained or in a reasonably usable form.

5. Privilege. Under Rule 45(d)(2), when information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial-preparation material, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

ISSUED BY:

 Clerk, Circuit Court of Jefferson County, Alabama
 By: _____, Deputy Clerk
 Date of issuance: _____, 2026

ATTORNEY REQUESTING ISSUANCE AND DESIGNATED FOR OBJECTIONS:

K. Mark Parnell (PAR039)
 Parnell Thompson, LLC
 120 19th Street North, Suite 2134
 Birmingham, Alabama 35203
 (205) 582-2766 | parnell@ptlawllc.com
 Attorney for Plaintiffs Robert B. Sansome and Gail Sansome

RETURN OF SERVICE

I certify that I served the foregoing Subpoena for Production of Documents, Electronically Stored Information, and Things, together with Exhibit A, upon Alabama Power Company by [] personal delivery to its registered agent, Teresa G. Black, at 600 North 18th Street, Birmingham, Alabama 35203, [] certified mail, return receipt requested, or [] commercial carrier pursuant to Rule 4, on _____, 2026, at _____.m.

I affirm that I am the sheriff or a deputy sheriff of Jefferson County, Alabama, or that I am a person who is not a party to this action, who is not related within the third degree by blood or marriage to the party on whose behalf service is made, and who is not less than nineteen (19) years of age. Ala. R. Civ. P. 45(b)(1).

Signature of server: _____

Printed name: _____

Address: _____

Date: _____

If served by certified mail or commercial carrier, attach the signed return receipt or delivery confirmation.

EXHIBIT A
TO SUBPOENA FOR PRODUCTION OF DOCUMENTS, ELECTRONICALLY
STORED INFORMATION, AND THINGS TO NON-PARTY ALABAMA POWER
COMPANY

Sansome, et al. v. Hoar Construction, LLC, et al., No. 01-CV-2026-902889.00 (Cir. Ct. Jefferson Cty., Ala.)

I. DEFINITIONS

1. “Alabama Power,” “You,” and “Your” mean Alabama Power Company, its divisions, business units, and departments (including without limitation its Transmission, Distribution, Economic and Community Development, Real Estate, Land Management, Environmental Affairs, Regulatory Affairs, Governmental Relations, and Legal organizations), its parent The Southern Company and any affiliated service company (including Southern Company Services, Inc.) to the extent acting for or on behalf of Alabama Power with respect to the subject matter of these requests, and their respective officers, employees, agents, contractors, consultants, and attorneys.

2. “Plaintiffs” means Robert B. Sansome and Gail Sansome.

3. “Defendants” means the defendants in this action, including Hoar Construction, LLC; Lakeshore Data Center, LLC; Nebius, Inc.; Nebius Group N.V.; Alabama ADC Holdings LLC; the City of Birmingham, Alabama; and the Zoning Board of Adjustment of the City of Birmingham.

4. “Developer Parties” means Nebius, Inc.; Nebius Group N.V.; Alabama ADC Holdings LLC; Lakeshore Data Center, LLC; Hoar Construction, LLC; 201 Milan Birmingham, LLC; Raeden RE, LLC; DPR Construction; and any parent, subsidiary, affiliate, member, manager, officer, employee, agent, contractor, engineer, consultant, or attorney of any of them, including any person acting or purporting to act on behalf of any of them in connection with the Project, the Substation, or the Switching Station.

5. “City” means the City of Birmingham, Alabama, and its officers, employees, departments, boards, and agents, including without limitation the Mayor and the Mayor’s Office, the City Council and its members, the City Attorney and the Law Department, the Department of Planning, Engineering and Permits, the Zoning Board of Adjustment, and the Zoning Advisory Committee.

6. “ZBA” means the Zoning Board of Adjustment of the City of Birmingham, its members, staff, and counsel.

7. “Project” or “Site” means the hyperscale artificial-intelligence data-center development known as “BHM01,” the “BHM01 AI Factory,” or the “BHM01 Alabama Data

Center,” planned and under construction on the property at and near 201, 250, and 260 Milan Parkway in the Oxmoor Valley area of Birmingham, Alabama, formerly the Regions Bank Lakeshore Operations Center and adjoining U.S. Steel property, together with all parcels, easements, and rights-of-way associated with it.

8. “Substation” means the electric substation planned, permitted, or under construction to serve the Project, including the facility described in ZBA Case No. ZBA2026-00007 and in the City permit application submitted on or about April 22, 2026 and issued on or about June 3, 2026 for the “BHM01 Alabama Data Center Substation” at or near 260 Milan Parkway, regardless of whether the facility is owned by Alabama Power or by a Developer Party, and all associated transformers, breakers, buswork, control houses, structures, transmission and distribution lines, taps, and interconnection facilities.

9. “Switching Station” means the high-voltage switching station, switchyard, or similar transmission facility planned, permitted, or to be constructed by or for Alabama Power to serve or interconnect the Project, including the facility described in ZBA Case No. ZBA2026-00006, wherever located, and all associated structures, transmission lines, taps, and interconnection facilities.

10. “ZBA Applications” means the special-exception applications filed with the ZBA on or about January 27, 2026, docketed as Case No. ZBA2026-00006 (the Switching Station) and Case No. ZBA2026-00007 (the Substation), together with all attachments, exhibits, site plans, narratives, fees, certifications, amendments, and supplements.

11. “ZBA Hearings” means the ZBA’s public hearings and meetings at which the ZBA Applications were noticed, presented, continued, considered, or voted upon, including the meetings of February 26, 2026 and March 26, 2026, and any pre-hearing or post-hearing staff meeting, site visit, or work session concerning the ZBA Applications.

12. “Denials” means the ZBA’s votes and actions of March 26, 2026 on the ZBA Applications, and the resulting denial of each application for want of the concurring vote required by the ZBA’s Rules of Procedure and Ala. Code § 45-37A-56(b).

13. “City Attorney Memorandum” means the Interoffice Memorandum of the City Attorney dated on or about April 9, 2026 concerning whether the Substation and the Switching Station are “Utility Substations” requiring a special exception, and any determination, interpretation, or letter issued by the Director of the Department of Planning, Engineering and Permits to the same effect.

14. “ZBA Appeal” means Nebius Inc., et al. v. Zoning Board of Adjustment of the City of Birmingham, Civil Action No. CV-2026-902080, in the Circuit Court of Jefferson County, Alabama, and its voluntary dismissal on or about May 28, 2026.

15. “Service Agreements” means every contract, agreement, letter of intent, term sheet, memorandum of understanding, application for service, or commitment between Alabama Power and any Developer Party concerning the supply of electric service to the Project or the planning, design, construction, ownership, operation, or cost of the Substation or the Switching Station, including without limitation any electric service agreement, special contract, cost-of-service agreement, contribution-in-aid-of-construction or facilities agreement, interconnection or transmission service agreement, reliability or load-commitment agreement, and every amendment, exhibit, schedule, and side letter to any of them.

16. “Permits and Approvals” means every permit, license, certificate, approval, authorization, variance, waiver, determination, interpretation, consent, or no-action letter applied for, requested, issued, or denied by any governmental or quasi-governmental body, including the City, Jefferson County, the Alabama Public Service Commission, the Alabama Department of Environmental Management, the U.S. Army Corps of Engineers, the Federal Aviation Administration, the Federal Energy Regulatory Commission, the North American Electric Reliability Corporation or SERC Reliability Corporation, and the Oxmoor Corporate Park Association or its Architectural Review Committee, and every application, submission, plan review comment, inspection record, and certificate associated with any of them.

17. “Plans” means drawings, site plans, plats, surveys, one-line and three-line diagrams, general arrangements, elevations, grading and drainage plans, transmission-line routing or corridor studies, design criteria, specifications, load and capacity studies, interconnection or system-impact studies, short-circuit or protection studies, construction schedules, and phasing plans, in every version, revision, and draft.

18. “Document” has the broadest meaning permitted by Rules 34 and 45 of the Alabama Rules of Civil Procedure and includes all writings, drawings, graphs, charts, photographs, video and audio recordings, images, electronically stored information, and other data or data compilations stored in any medium from which information can be obtained, including e-mail, text and instant messages, messaging-platform content (including Microsoft Teams, Slack, and similar), calendar entries, voicemail, databases, presentations, and all drafts and non-identical copies.

19. “Communication” means any transmission or exchange of information, whether oral, written, or electronic, including correspondence, e-mail, text and instant messages, memoranda, notes of meetings or telephone calls, presentations, and recordings.

20. “Concerning” means relating to, referring to, describing, evidencing, constituting, reflecting, supporting, contradicting, or commenting upon.

21. “Relevant Period” means January 1, 2025 through the date of Your response, unless a request specifies otherwise. Requests for Service Agreements, easements, rights-of-way, and instruments affecting title to the Site are not limited by the Relevant Period.

II. INSTRUCTIONS

1. Produce all responsive Documents in Your possession, custody, or control, including Documents held by Your affiliates, service companies, contractors, engineers, consultants, and attorneys on Your behalf.

2. Produce Documents as they are kept in the usual course of business or organized and labeled to correspond to the numbered requests below. Ala. R. Civ. P. 45(d)(1).

3. Produce electronically stored information in its native format with metadata intact, or, for e-mail and ordinary office documents, as text-searchable PDF or single-page TIFF images with an accompanying load file preserving family relationships and the following metadata fields: custodian, author, recipients, date sent or created, date last modified, file name, and file path. Spreadsheets, databases, CAD and GIS files, and audio or video recordings shall be produced in native format.

4. If any Document is withheld under a claim of privilege or protection, provide a log identifying the date, author, recipients, general subject matter, and the privilege or protection claimed, sufficient to enable Plaintiffs to contest the claim. Ala. R. Civ. P. 45(d)(2).

5. If You contend that any responsive Document contains confidential, proprietary, or critical-energy-infrastructure information, produce the Document subject to [the Stipulated Protective Order entered in this action / a proposed protective order, which Plaintiffs will negotiate promptly upon request], and do not withhold the Document on that ground alone. Plaintiffs will accept reasonable redaction of critical-energy-infrastructure information (such as detailed relay settings or physical-security details) provided the redaction is identified and the location, size, capacity, voltage, customers served, and purpose of each facility remain disclosed.

6. If any responsive Document has been lost, destroyed, or is otherwise unavailable, identify the Document, the circumstances of its loss or destruction, and every person with knowledge of its contents.

7. Each request shall be construed independently, and no request shall be read to limit any other request. The singular includes the plural, and “and” and “or” are to be read conjunctively or disjunctively as necessary to bring within a request all Documents that might otherwise be construed to fall outside it.

8. Unless a request specifies otherwise, produce Documents from the Relevant Period.

9. Plaintiffs will reimburse the reasonable cost of copying pursuant to Rule 45(a)(3)(C), and will confer in good faith regarding any request You contend imposes an undue burden, including reasonable custodian and search-term limits for e-mail and messaging content. Ala. R. Civ. P. 45(c)(1).

10. Plaintiffs request that You certify the Documents produced as business records pursuant to Ala. R. Evid. 803(6) and 902(11), using the certification form Plaintiffs will supply on request, so as to avoid the need for a records-custodian deposition.

III. SCOPE

This action challenges the lawfulness of the Project under the Birmingham Zoning Ordinance and Alabama law. Counts I through V are set for a non-jury trial on March 8, 2027, limited to the legal and equitable questions of whether the Project is authorized in the MXD district, whether the Substation and the Switching Station are “Utility Substations” requiring special exceptions that the ZBA has finally denied, the validity of the June 9, 2026 zoning text amendment, the validity of permits issued in derogation of the Denials, vested rights, and the equities of injunctive relief under Rule 65, including the bond under Rule 65(c). Alabama Power was the applicant and presenter for ZBA Case No. ZBA2026-00006 and is the utility that will construct the Switching Station and supply electric service to the Project through the Substation. The requests below are directed to those issues. They do not seek Documents concerning noise, light, heat, air emissions, water consumption, or other operational impacts of the Project, which are reserved for a later phase, except to the extent such Documents also fall within a request below.

IV. DOCUMENTS, ELECTRONICALLY STORED INFORMATION, AND THINGS TO BE PRODUCED

Part I — The Zoning Board of Adjustment Proceedings (Case Nos. ZBA2026-00006 and ZBA2026-00007)

REQUEST NO. 1. ZBA Applications. All Documents constituting or Concerning the ZBA Applications, including every application form, cover letter, narrative, site plan, plat, survey, drawing, rendering, photograph, fee receipt, certification, owner-authorization or agent-authorization form, supplement, amendment, and withdrawal, whether submitted by You, by a Developer Party, or by anyone acting on behalf of You or a Developer Party, and all drafts of them.

REQUEST NO. 2. Communications with the City Concerning the ZBA Applications and Hearings. All Communications between You and the City Concerning the ZBA Applications, the ZBA Hearings, the Denials, the City Attorney Memorandum, the ZBA Appeal, or whether the Substation or the Switching Station is a “Utility Substation,” a “public utility,” or otherwise requires a special exception, variance, use determination, or other zoning approval under the Birmingham Zoning Ordinance, including Communications with ZBA members and staff, the Department of Planning, Engineering and Permits and its Director, the City Attorney and Law Department, the Mayor’s Office, and members of the City Council.

REQUEST NO. 3. Notices, Agendas, and Staff Reports. All notices of hearing, agendas, staff reports, staff recommendations, hearing procedures, sign-in sheets, and other Documents received by You from the ZBA or the City Concerning the ZBA Applications or the ZBA Hearings.

REQUEST NO. 4. Presentations and Testimony at the ZBA Hearings. All Documents prepared for, used at, or presented at the ZBA Hearings by You or on Your behalf, including presentations, slides, exhibits, maps, handouts, talking points, speaking notes, scripts, written statements, and any prepared or written testimony, including the materials prepared, used, or presented by David Gray or any other Alabama Power representative who appeared, spoke, or was identified as the applicant, presenter, or spokesperson for either ZBA Application.

REQUEST NO. 5. Recordings, Transcripts, Minutes, and Notes of the ZBA Hearings. All audio recordings, video recordings, transcripts, minutes, summaries, and contemporaneous or after-the-fact notes of the ZBA Hearings in Your possession, custody, or control, including notes taken by any Alabama Power employee, consultant, or attorney who attended, and any Document reflecting the public comments or opposition presented at the ZBA Hearings.

REQUEST NO. 6. Communications with Developer Parties Concerning the ZBA Proceedings. All Communications between You and any Developer Party Concerning the ZBA Applications, the ZBA Hearings, the Denials, the City Attorney Memorandum, the ZBA Appeal or its dismissal, or any request to the City for an interpretation or determination that the Substation or the Switching Station does not require a special exception, including Communications Concerning the decision to file, the preparation of, and the presentation of the ZBA Applications, and Concerning the effect of the Denials on the Project, the Substation, or the Switching Station.

REQUEST NO. 7. Internal Documents Concerning the Special-Exception Requirement. All internal Documents and Communications Concerning whether the Substation or the Switching Station is a “Utility Substation” or “public utility” facility under the Birmingham Zoning Ordinance, whether a special exception, variance, or other zoning approval is or was required for either facility, why the ZBA Applications were filed as special-exception applications, and whether either facility is designed or intended to distribute electricity to, or improve the reliability of service to, any customer, neighborhood, or area other than the Project.

REQUEST NO. 8. Post-Denial Documents. All Documents created or received after March 26, 2026 Concerning the Denials, the vote of the ZBA, the ZBA’s Rules of Procedure or the two-thirds concurring-vote requirement, the City Attorney Memorandum, any determination by the Director of the Department of Planning, Engineering and Permits that no special exception is required, the ZBA Appeal, and the decision to proceed with, redesign, relocate, delay, or abandon the Substation or the Switching Station in light of the Denials.

REQUEST NO. 9. ZBA Appeal. All Documents Concerning the ZBA Appeal, including Communications with any Developer Party or the City Concerning whether to appeal, Your participation or non-participation in the appeal, the grounds for the appeal, and the decision to voluntarily dismiss it.

REQUEST NO. 10. Prior Special-Exception Practice. Documents sufficient to identify every special-exception application, variance application, or zoning determination sought by You

from the ZBA or the City since January 1, 2015 for a substation, switching station, or similar transmission or distribution facility within the City of Birmingham, and Your position in each as to whether the facility was a “Utility Substation” requiring a special exception.

Part II — The Substation and the Switching Station

REQUEST NO. 11. Permits and Approvals — Switching Station. All Permits and Approvals Concerning the Switching Station, including every application, submission, plan-review comment, inspection record, and certificate, and Documents sufficient to show the date of each application, the date of each issuance or denial, and the current status of each.

REQUEST NO. 12. Permits and Approvals — Substation. All Permits and Approvals Concerning the Substation in Your possession, custody, or control, including any application, submission, or approval in which You are identified as applicant, owner, utility, co-applicant, or interested party, and including all Documents Concerning the City permit application submitted on or about April 22, 2026 and the permit issued on or about June 3, 2026 for the “BHM01 Alabama Data Center Substation.”

REQUEST NO. 13. Alabama Public Service Commission and Other Regulatory Filings. All filings, applications, notices, certificates, special-contract submissions, tariff or rate-schedule elections, and Communications with the Alabama Public Service Commission or any other regulatory body Concerning electric service to the Project, the Substation, or the Switching Station, including any filing under Alabama Power’s rules for special contracts or for new large loads, and any filing in APSC Docket No. 33709 to the extent it Concerns the Project, the Substation, or the Switching Station.

REQUEST NO. 14. Service Agreements. All Service Agreements, including every draft exchanged between the parties, every executed version, and every amendment, exhibit, schedule, and side letter, and all Communications between You and any Developer Party Concerning the negotiation, execution, or performance of any Service Agreement.

REQUEST NO. 15. Real Property Instruments. All deeds, easements, rights-of-way, licenses, options, leases, and other instruments Concerning the real property on which the Substation or the Switching Station is or is to be located, or over which any transmission or distribution line serving the Project is or is to be routed, including the instruments identified in the September 30, 2025 deed from United States Steel Corporation to 201 Milan Birmingham, LLC (Jefferson County Probate Instrument No. 2025089420) as agreements with Alabama Power dated in or about 1914, 1958, and 1996, all amendments, assignments, and releases of them, and all title reports, surveys, and Communications Concerning them.

REQUEST NO. 16. Plans — Switching Station. All Plans for the Switching Station, including Documents sufficient to show its location, footprint, acreage, voltage class, interconnecting transmission lines, capacity, configuration, and design basis.

REQUEST NO. 17. Plans — Substation. All Plans for the Substation in Your possession, custody, or control, including any Plans prepared by, submitted to, reviewed by, or approved by You, and Documents sufficient to show its location, footprint, acreage, voltage class, transformer capacity in MVA or MW, configuration, and design basis.

REQUEST NO. 18. Load, Capacity, and Interconnection Studies. All load studies, capacity studies, system-impact studies, interconnection studies, feasibility studies, facilities studies, and reliability analyses Concerning electric service to the Project, the Substation, or the Switching Station, including Documents sufficient to show the contracted or projected load of the Project in megawatts, the phasing of that load, and the planned in-service date for each phase.

REQUEST NO. 19. Purpose and Customers Served. Documents sufficient to show every customer, load, feeder, circuit, neighborhood, or area other than the Project that the Switching Station or the Substation is designed, intended, or able to serve, and all Documents Concerning any statement by You or any Developer Party that the Switching Station will “improve reliability of the neighborhood’s electrical grid” or serve the community or the public.

REQUEST NO. 20. Cost and Responsibility. Documents sufficient to show the estimated and actual cost of the Switching Station and the Substation, which person or entity bears or has agreed to bear each component of that cost, and any contribution in aid of construction, deposit, guaranty, or security provided by any Developer Party, and all Documents Concerning any statement that a Developer Party is “paying for the cost of the new switching station.”

REQUEST NO. 21. Schedule and Status. Documents sufficient to show the planned and actual schedule for the design, permitting, construction, energization, and in-service dates of the Switching Station and the Substation, the work performed to date on each, the contractors performing it, and the current status of each, and all Communications with any Developer Party Concerning the timing of the Switching Station or the Substation relative to the ZBA Hearings, the Denials, the City’s data-center moratorium (Ordinance No. 26-25), the City Council’s June 9, 2026 zoning text amendment, or this litigation.

REQUEST NO. 22. Communications with the City Concerning Permits and Construction. All Communications between You and the City Concerning the Permits and Approvals for the Substation or the Switching Station, including zoning verification or zoning-compliance letters, floodplain review, right-of-way and encroachment matters, street or utility relocations, and inspections.

REQUEST NO. 23. Public Statements and Community Communications. All Documents Concerning any public statement, community meeting, neighborhood presentation, press inquiry, or Communication with any resident, neighborhood association, or elected official by You Concerning the Substation, the Switching Station, or electric service to the Project.

REQUEST NO. 24. Custodians and Personnel. Documents sufficient to identify each Alabama Power employee, contractor, consultant, and attorney who attended a ZBA Hearing, who signed or presented a ZBA Application, or who has principal responsibility for the Service Agreements, the Permits and Approvals, or the Plans for the Substation or the Switching Station, including David Gray, together with each person's title and role.