

MINUTES OF A MEETING
OF THE
ALABAMA PUBLIC SERVICE COMMISSION
HELD TUESDAY, MARCH 5, 2024

The March 2024 meeting of the Alabama Public Service Commission was held on Tuesday, March 5, 2024, in the Carl L. Evans Chief Administrative Law Judge Hearing Room Complex, 100 North Union Street, Montgomery, Alabama. Commission President Twinkle Andress Cavanaugh called the meeting to order at 10:02 a.m. with Commissioner Jeremy H. Oden and Commissioner Chris "Chip" Beeker, Jr., present. The following staff members were also present: John A. Garner, Chief Administrative Law Judge; Luke Bentley and Suellen Young, Administrative Law Judges; Chad Mason, Hearing Officer; John Free, Electricity Policy Division Director; Patricia Smith and Donald Powell, Public Utility Analyst Managers; Aquilla Spivey, Consumer Service Manager; Amanda Shehane, Utility Enforcement Director; Jeffery Johnston, Utility Services Division Director; Devon Beaty, PSC Transportation Regulatory Manager; Tanya Champion, Matthew Singleton Stacie Berry and Tashenma Lawrence, Public Utility Analysts; William Partlow, Staff Accountant; Caleb Hicks, Communication and Public Relation Manager; Debbie Williams, Executive Assistant to Commissioner Cavanaugh; Mary Caitlyn Montgomery, Technical Assistant to Commissioner Beeker; Kaitlyn Rayborn, Administrative Assistant to Commissioner Beeker; Aisha Smith, Executive Assistant to Commissioner Oden; Kay Oswalt, Information Systems Manager; Chalandra Betts, IT Technician; Tangela Kearns Administrative Assistant; Walter L. Thomas Jr., Secretary of the Commission.

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Commissioner Cavanaugh noted that the public was informed of today's Commission meeting by notice dated January 31, 2024.

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Commission Cavanaugh introduced Mr. Brian Dawson, who opened the meeting with prayer and led the audience in the Pledge of Allegiance.

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Commissioner Cavanaugh then opened the floor for a motion to approve the minutes of the February 6, 2024, Commission Meeting.

Upon being motioned by Commissioner Oden and seconded by Commissioner Beeker, the Commissioners voted unanimously to approve the minutes.

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UTILITY SERVICES DIVISION

Mr. Johnston reported for the Utility Services Division on Consumer Service Complaint Inquiries for the period of February 2024 as follows: Alabama Power Company had one hundred forty-eight residential inquiries, Spire Alabama had one residential inquiries, and Spire Gulf had none. There was a total of one telecommunication inquiry, consisting of one under Public Service Commission jurisdiction, none were referred back to the companies, since the company's waived jurisdiction and none under PSC jurisdiction.

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Mr. Johnston reported on Rate RSE for Spire Alabama Inc., based on preliminary figures as of January 31, 2024, the projected RSE return on average common equity for the rate year ending September 30, 2024, was 9.22 percent. The authorized return on average common equity is 9.50 to 9.90 percent.

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Mr. Johnston reported on Rate RSE for Spire Gulf Inc., based on preliminary figures as of January 31, 2024, the projected RSE return on average common equity for the rate year ending September 30, 2024, was 9.94 percent. The authorized return on average common equity is 9.70 to 10.30 percent.

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Mr. Johnston reported from the Utility Service Division Agenda on Formal Docket 32606, Pinnacle Wastewater Systems, LLC, Petition for approval to modify Certificate of Financial Viability for Pinnacle Wastewater Systems LLC. Expands Pinnacle's service territory to own, operate and maintain the wastewater collection and treatment facility for McKensie Phase 2 Community Wastewater System located in the community of Riverside, in St. Clair County, AL, and recommended granting approval of modification.

Upon motion by Commissioner Cavanaugh and seconded by Commissioner Beeker, the Commissioners voted unanimously to accept the recommendation.

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Mr. Johnston reported on Formal Docket 26011, Electric Lightwave LLC d/b/a Integra Telecom, seeks approval for cancellation of their Certificate of Public Convenience and Necessity and withdraws tariff. Authority was granted August 25, 1997 to provide telecommunications service in the state of Alabama. On January 11, 2023, the Commission received notification about the pro-forma consolidation of Electric

Lightwave, LLC into Zayo Group, LLC. On February 6, 2024, Electric Lightwave, LLC notified this Commission that it no longer exists as a separate entity in the state of Alabama; no customers will be affected by the cancellation, and recommended granting approval of cancellation.

Upon motion by Commissioner Oden and seconded by Commissioner Cavanaugh, the Commissioners voted unanimously to accept the recommendation.

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Mr. Johnston reported on Informal Docket U-5462, BellSouth Telecommunications, LLC d/b/a AT&T Alabama or AT&T Southeast, Approval of proposed tariff revisions to grandfather the High-Capacity Service Channel Service Payment Plans greater than month-to month to keep Intrastate Services in parity with the interstate filings that previously went into effect on January 17, 2024. The requested effective date is March 17, 2024, and recommended granting approval of tariff.

Upon motion by Commissioner Beeker and seconded by Commissioner Cavanaugh, the Commissioners voted unanimously to accept the recommendation.

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Mr. Johnston then reported on Formal Docket 33429, North American Numbering Plan Administrator, Numbering resources for Alabama are code 334 are scheduled to exhaust by the Third Quarter 2026 according to the most recent North American Numbering Plan Administrator (NANPA) Numbering Resources Utilization Forecast (NRUF). NANPA seeks guidance from the Commission with respect to its preferred method of area code relief. This order advises NANPA to proceed with planning for the relief of area code 334 using an All-Services Distributed Overlay of the existing 334 geographical area so that no telecommunications customer within that area is required to change their existing area code, and recommended granting approval of application.

Upon motion by Commissioner Cavanaugh and seconded by Commissioner Oden, the Commissioners voted unanimously to accept the recommendation.

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GAS PIPELINE SAFETY DIVISION

In the absence of Mr. Kimbril, Judge Garner reported for the Gas Pipeline Safety (GPS) Division Agenda on the following inspections during the month of January. A total of twenty-two

(22) inspections and one (1) operator training sessions were conducted utilizing thirty and half and Quarter (30.5) person-days. The inspections and training are as follows:

Standard Inspection	Construction	Operator Qualification	Public Awareness	IMP / DIMP	Control Room	Incident /Accident	Section 114	Drug & Alcohol	Follow-Up	Total Inspections
2	3	0	0	0	0	0	0	0	17	22

Enforcement Actions

From the twenty-two (22) inspections shown above, four (4) enforcement letters of notification was issued noting twenty-three (23) non-compliance issues. There were twenty-seven (27) non-compliance items corrected during the month of January.

Training

One (1) operator/contractor training session on Polyethylene (PE) plastic fusion and zero (0) fire response training were conducted in January:

- 1/23/2024 Leak City PE 22 Personnel Trained

Incidents/Accidents

There was one (1) state reportable incidents and zero (0) federal incidents reported during the month of December.

1/16/2024 Lanett Gas - A meter reader for Lanett had called and reported that he was smelling gas at a customer's location. Gas crews responded and dug the road up at the end of a concrete driveway. The main was under the driveway. The Lanett employee in the ditch found the leak. He was attempting to tighten a coupling to try stopping the leak, when he turned to get his second pipe wrench, the ditch collapsed on top of him, preventing him from moving. Three other employees had to use hand tools to dig him out.

Miscellaneous

The Gas Pipeline Safety recently performed training on the Pipeline and Hazardous Materials Safety Administrations (PHMSA) Inspection Assistance database (IA) to perform most of their inspections moving forward. This will ensure better compliance in the Pipeline Safety program with meeting PHMSA's requirements.

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UTILITY ENFORCEMENT DIVISION

Mrs. Shehane reported from the Utility Enforcement Division on the major task, inspections and activities accomplished by its staff during the month of January 2024.

Railway Safety

The track inspection results below reflect activity by our Railway Safety (RWS) Staff in the field.

Rail Carriers Visited	Regular Track Inspections	Track Defects Identified	Violations Recommended	Track Miles Inspected	Track Turnouts Inspected
6	21	106	0	243	205

The table below reflects track safety observations made in which no non-compliant conditions were identified. One hundred and three roadway workers, bridge workers, and practices were observed.

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
7	17	33	0

The data in the table below was collected from Motive Power & Equipment (MP&E) inspections performed on locomotives, freight cars, tank cars, and other railroad equipment.

Rail Carriers Visited	Regular Eqpt. Inspections	Defects Identified	Violations Recommended	Number of Units Inspected
8	14	82	0	504

The table below shows observations completed by the MP&E Inspector in which no non-compliant condition was identified.

Air Brake Tests	Blue Flag Protection	End of Train Devices
1	2	0

Both track and MP&E inspectors performed record inspection reviews shown below on railroad inspections, repair records, and highway grade crossings.

	Track Inspection Records	MP&E Railcar & Locomotive Repair Records	Highway Grade Crossings
Inspections	0	2	1
Units Inspected	0	57	6
Defects	0	0	1

There was one incident reported by the National Response Center (NRC) in January:

1. A vehicle strike at a crossing with a fatal injury in Grand Bay on CSX.

In addition to the incidents reported above, the RWS staff also received the following notifications from sources other than NRC.

1. A track/bridge complaint in Tuscaloosa on ABS.
2. A 100-gallon hydraulic oil spill in Brundidge on CSX.
3. An employee fatality in Decatur on NS.

The complaint and employee fatality are currently under investigation by RWS staff.

Motor Carrier Services

The Motor Carrier Services (MCS) staff accomplished the following matters regarding state authority to operate as a motor carrier in Alabama with proof of insurance coverage:

Vehicle Registration Numbers	Intrastate Applications		NOL Processed/ Closed Intra Applications	Under Legal Division Review	New Authority Approved	Motor Carrier Authority Inquiries		
	Processed	Returned				Phone	E-mails	Others
2	6	1	2	5	3	49	54	11

MCS staff members handled the tasks shown below regarding insurance coverage, prepared correspondence that challenged incorrect filings and addressed related inquiries:

Insurance Filings Received	Revocation Orders	Reinstatement Orders	Miscellaneous Actions	Letters Sent	Insurance Inquiries	
					Phone	E-mails
365	27	9	3	27	30	420

The MCS Section addressed the following Unified Carrier Registration (UCR) responsibilities:

UCR Applications		UCR Mailouts for 2024	UCR Audit Correspondence	UCR Inquiries	
Received	Returned			Phone	E-mail
21	5	2963	4	170	76

As of January 31, there were 7,484 Alabama carriers (79%) registered for 2024 UCR with 2,005 that remain unregistered. During January, staff mailed one pending payment letter to a carrier that had created a voucher several weeks prior where payment had not been received and three suspended payment letters to carriers that had not cleared up their suspended payments for the 2024 UCR registration year.

In January, \$4,439 was collected for Focused Anomaly Reviews (FARs) audits for the 2024 UCR registration year.

MCS staff participated in the UCR Board call, the UCR Dispute Resolution Subcommittee call, and the UCR Audit Q & A call during the month.

The staff also assisted motor carriers in making necessary changes to their operating status with the Federal Motor Carrier Safety Administration (FMCSA). There were 21 MCS-150 forms processed. Fourteen motor carriers had their USDOT number deactivated. Eight forms contained updates to the motor carriers' USDOT number data.

There were 78 For Non-Profit (FNP) quarterly reports for the fourth quarter of 2023 sent to FNP carriers by mail and e-mail. Our office received 21 FNP quarterly reports for the fourth quarter of 2023 and one for the third quarter of 2023 during the month.

In January, one passenger tariff for Murdock Transportation LLC (C3881) was accepted.

A desk audit was conducted for household goods carrier Office Movers, Inc. dba Movedaddy.com (C4029). The carrier charged the correct rates to the shipper according to the bills of lading provided.

The Commission received a Transportation Network Company (TNC) application from River North Transit LLC on January 31. Staff also received one email and one phone call regarding TNCs during the month.

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ELECTRICITY POLICY DIVISION

Mrs. Smith reported for the Electricity Policy Division on Rate RSE for Alabama Power Company stating that the Weighted Return on Average Retail Common Equity Forecast as of December 31, 2024, is 5.97 percent. Mrs. Smith also reported for the month of January 2024 energy cost applicable to Rate ECR was over-recovered by \$12,164,826. The authorized Weighted Retail Return on Average Common Equity Range is 5.75-6.15 percent.

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Mr. Free reported on Formal Dockets 18117 and 18416, On February 1, 2024, Alabama Power Company ("the Company") submitted information and calculations for the CNP Purchase Factors associated with the Company's certificated power purchase arrangements, as provided for under Rate CNP, Part B. The filing reflects a projected under-recovery of costs associated with such arrangements which would be recoverable in the billing months of April 1, 2024 through March 31, 2025. Although the Company is entitled under Rate CNP and the corresponding orders of the Commission to recover the entire revenue requirement associated with its power purchase arrangement, the staff is proposing that, in lieu of new CNP Purchase Factors associated with the submitted calculations, the Company will leave the current CNP Purchase Factors in effect for the period April 1, 2024 through March 31, 2025, and recommended granting approval of purchase factors.

Upon motion by Commissioner Cavanaugh and seconded by Commissioner Beeker, the Commissioners voted unanimously to accept the recommendation.

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Mrs. Champion reported on Formal Docket 18005, On February 15, 2024, Alabama Power Company filed with the Alabama Public Service Commission the annual update to Rate PAE. Under Rate PAE, qualifying customers that have installed an electric generating facility for their own use (with nameplate capacity of 100kW or less) receive payment for energy sold to the Company in accordance with the Public Utility Regulatory Policies Act of 1978 (PURPA). As with prior revisions, the base charges and energy payments reflect updated cost information and avoided cost data for Alabama Power Company. The Company has requested the proposed modifications become effective for April 2024 billings, and recommended granting approval of modification.

Upon motion by Commissioner Cavanaugh and seconded by

Commissioner Oden, the Commissioners voted unanimously to accept the recommendation.

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Mrs. Champion then reported on Informal Docket U-5213, On February 15, 2024, Alabama Power Company filed with the Alabama Public Service Commission the annual update to Rate CPE (Contract for Purchased Energy). Rate CPE applies to Qualifying Facilities ("QFs") with a nameplate capacity greater than 100 kW, seeking to sell energy to Alabama Power Company. Under the Public Utility Regulatory Policies Act of 1978 and its implementing regulations, Alabama Power is obligated to purchase energy from QFs at rates equivalent to the Company's avoided costs. Rate CPE has been in effect since March 2017, and the Company annually updates avoided cost and other data that are used to set the energy payments established under the rate. The Company has proposed updated rates, along with changes to the Attachment a Standard Contract that are discussed more fully in the company's filing letter and in the redlined contract included with the filing. The Company has requested the proposed modifications become effective April 1, 2024, and recommended granting approval of modification.

Upon motion by Commissioner Cavanaugh and seconded by Commissioner Beeker, the Commissioners voted unanimously to accept the recommendation.

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LEGAL DIVISION

Judge Young reported from the Legal Division Agenda on the following Dockets:

Formal Docket 33430, Unopposed motor carrier application of Vincent J. Coda d/b/a Dauphin Island - Mobile Airport Taxi Service, of Dauphin Island, Alabama, for certificate to transport passengers. The applicant waived its to a Report and Recommended order, and recommended granting approval of application;

Formal Docket 33073, Unopposed motor carrier application of Dominion, LLC, d/b/a Dominion Shuttle of Eufaula, Alabama to extend an existing operation. The applicant waived its right to a Report and Recommended order at the hearing, and recommended granting approval of application;

Formal Docket 33437, Unopposed application to transfer motor

carrier certificate 4142 FROM: Culpepper Enterprises LLC d/b/a Pink Zebra Moving of Auburn AL, To: Ralph Moving LLC d/b/a Pink Zebra Moving of Columbus GA, and recommended granting approval of application;

Formal Docket 33384, Petition of Mountain Taxi, LLC d/b/a Sunset Taxi of Gulf Shores, Alabama, for an extension of time to make the required filings for Permit 655, and recommended granting additional 90 days to allow applicant to make the required filings for Permit 655;

Formal Docket 33079, Petition of Selma Health and Rehab LLC d/b/a Selma Health and Rehab of Selma, Alabama, for cancellation of motor carrier certificate FNP B-99, and recommended granting cancellation as requested;

Formal Docket 33383, Motor carrier certificate 4153 and Permit 656 were issued to Non-Emergency Medical Carriers Transportation and Services LLC d/b/a Non-Emergency Medicarriers Transportation and Services ("Non-Emergency Medicarriers"), of Pleasant Grove, Alabama by Commission order dated November 7, 2023. Said order also required Non-Emergency Medicarriers to file its insurance, tariff, schedule of rates and obtain registration numbers. Non-Emergency Medicarriers has failed to make the required filings, and recommended granting cancellation on 30 days' notice;

Formal Docket 33322, Motor carrier certificate 4144 was issued to Dennis Luxury Transportation LLC ("Dennis Luxury Transportation") of Calera, Alabama by Commission order dated March 8, 2023. Said order also required Dennis Luxury Transportation to file its tariff, obtain insurance and registration numbers and properly identify its vehicles. Dennis Luxury Transportation has failed to make the required filings, and recommended granting cancellation on 30 days' notice; and

Informal C-15992 and Formal Docket 31447, Petition of Martin Pinkston d/b/a MCP Contracting ("MCP Contracting"), of Pike Road, Alabama, for cancellation of motor carrier certificate F4388 (Docket 31447). MCP Contracting also has approval of cargo self-insurance authority in Informal Docket C-15992, and recommended granting cancellation as requested (Docket 31447) and grant cancellation of cargo self-insurance authority as requested (Informal Docket C-15992).

Upon motion by Commissioner Oden and seconded by Commissioner Beeker, the Commissioners voted unanimously to accept these recommendations.

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Judge Bentley reported from the Legal Division Agenda on the following Dockets:

Formal Docket 33446, Show cause proceeding for Jesse Buckley d/b/a Buckley Trucking, of Hanceville. Alabama for failure to respond to audit inquires for 2024 Unified Carrier Registration, and recommended issuance of an order establishing a show cause proceeding for Jesse Buckley d/b/a Buckley Trucking;

Informal Docket C-20862, Petition of Hearn Farms, Inc., of Leroy, Alabama for approval of cargo self-insurance, and recommended granting approval of petition;

Informal Docket C-20821, Petition of ALP Operations LLC of Montgomery, Alabama for reinstatement of motor carrier certificate F5342 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage, and recommended granting reinstatement of petition;

Informal Docket C-20816, Petition of Mack Transportation, LLC d/b/a Mack Transportation, of Guntersville, Alabama for reinstatement of motor carrier certificate F4368 which was revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage, and recommended granting reinstatement of petition; and

Formal Docket 32498 and Informal Docket C-20600, Petition of Harry's Excavating & Septic Tank, Inc., of Cottdale Alabama for cancellation of motor carrier certificate F4965 (Docket 32498). Harry's Excavating & Septic Tank, Inc., has approval of cargo self-insurance authority in Informal Docket C-20600, and recommended granting cancellation as requested (Docket 32498) and grant cancellation of cargo self-insurance authority as requested (Informal Docket C-20600).

Upon motion by Commissioner Oden and seconded by Commissioner Beeker, the Commissioners voted unanimously to accept these recommendations.

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Judge Bentley, then reported on Formal Docket 32553, Motion for reconsideration, rehearing, or modification filed by Community Utilities of Alabama, Inc. ("CUA"). On December 22, 2023, the Commission issued an order setting rates for CUA. That order reduced the proposed rate base by \$610,471 and set rates lower

than those requested by CUA. The rate base adjustments are related to incentive payments from CUA to Canaan Systems, Inc., ("Canaan"). On January 19, 2024, CUA filed a motion for reconsideration, rehearing, or modification of the Commission order. In this motion, in addition to requesting a rehearing, CUA introduced a possible alternative treatment for the incentive payments to Canaan. The proposed alternative treatment is "capitalizing the balance to an alternative account such as a plant acquisition adjustment (PPA) or a regulatory asset account..." to be "treated as a non-rate base item." This proposal would lead to an increased annual revenue requirement of \$9,568 and a \$0.35 monthly rate increase for residential customers (0.45% increase). To discuss the alternative treatment proposed by CUA, on January 29, 2024, the parties participated in a conference call. On February 2, 2024, the office of the Attorney General of Alabama filled a response to CUA's motion, stating no objection to the proposed alternative treatment. On February 5, 2024, CUA filed a letter with the Commission that confirmed that for settlement purpose, CUA would agree to the resolution which would result in a .45% increase (as applied to all rates), intended to recover an additional \$9,568 of annual revenue requirement and recommended 1) Approval of the proposed settlement between Community Utilities of Alabama, Inc., and the office of the Attorney General of Alabama, with rates effective for April 2024 billings; and 2) denial of the remainder of the motion for reconsideration, rehearing, or modification.

Upon motion by Commissioner Beeker and seconded by Commissioner Cavanaugh, the Commissioners voted unanimously to accept the recommendation.

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Judge Bentley reported on Formal Docket: 33335, Investigation proceeding to determine the rates, terms, and conditions of service to be implemented by Eco-Preservation Services, LLC ("Eco") Respondent/Petitioner Eco seeks approval to:

- Increase monthly sewer rates from the interim rates approved on August 14, 2023;
- Charge a new rate rider of \$12.52 per month to fund a reserve account;
- Adjust other rates and fees listed in the proposed tariff; and
- Implement Rate Stabilization and Equalization (RSE) Plan.

The following table summarizes and compares Eco's pre-

regulation, interim, and proposed monthly sewer rates.

	Pre-Regulation	Interim	Proposed
Residential Base	\$126.00	\$88.96	\$138.90
Commercial Base	\$151.00	\$106.59	\$138.90 per EDU

Eco represents that the proposed rates are based on a weighted average return on equity of 18.5% and would result in an annual revenue increase of approximately \$211,680 above that of the interim rates. Respondent/Petitioner requests an effective date of June 1, 2024 for these proposed tariff changes, and recommended suspension of the effective date for a period of up to 180 days from the requested effective date of June 1, 2024, to and through November 27, 2024 to allow additional study and investigation of the requested tariff revisions and formula ratemaking proposal.

Upon motion by Commissioner Cavanaugh and seconded by Commissioner Oden, the Commissioners voted unanimously to accept the recommendation.

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Judge Bentley reported from the Legal Division Off Agenda Items on Formal Docket 33319, BIF IV Intrepid OpCo LLC ("Intrepid") was granted a certificate of public convenience and necessity to provide telecommunications services through Commission order dated March 9, 2023. The Commission required Intrepid to submit an interconnection agreement/resale agreement within one year of that order. Intrepid request a six-month extension of that requirement, to September 8, 2024, and recommended granting request for six-month extension.

Upon motion by Commissioner Beeker and seconded by Commissioner Cavanaugh, the Commissioners voted unanimously to accept the recommendation.

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Hearing Officer Mason reported from the Legal Division Agenda on Formal Docket 33435, Unopposed motor carrier application of F&S Transportation LLC d/b/a F&S Transportation, of Lafayette, Alabama, for a certificate to transport passengers. The Applicant waived its right to Report and Recommended order, and recommended granting approval of application.

Upon motion by Commissioner Cavanaugh and seconded by Commissioner Oden, the Commissioners voted unanimously to accept

the recommendation.

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Hearing Officer Mason reported on Formal Docket 33419, CNS Network LLC of Boulder, Colorado, for a certificate to provide telecommunications services in the state of Alabama. A hearing was held February 13, 2024, in which Commission staff participated, and recommended granting approval of certificate.

Upon motion by Commissioner Beeker and seconded by Commissioner Oden, the Commissioners voted unanimously to accept the recommendation.

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Hearing Officer Mason reported on Formal Docket 33350, Investigation Proceeding to consider the non-compliance of Fern Parc Apartment Homes and other similarly situated gas pipeline master meter operators - Berry Housing Authority, Decatur Housing Authority, Camp Hill and Wilton Gas Department - with the Gas Pipeline Safety regulations enforced by the Commission. This proceeding was established by a vote of the Commission at the April 2023 meeting and expanded at the June 2023, meeting. A show cause hearing was held August 7, 2023 with Fern Parc Apartment Homes, Decatur Housing Authority, Camp Hill and Wilton Gas Department as participating parties. Berry Housing Authority failed to appear. Due to Berry Housing Authority's failure to appear, another show cause hearing was held on August 22, 2023, with Berry Housing Authority as a participating party. At both show cause hearings all operators were shown to be in non-compliance, in one way or another, with the Commission's rules and regulations, but all were willing to work towards compliance. At the September 2023 Commission meeting the operators were each fined \$50,000 to be waived if compliance was reached within 90 days. If an operator failed to become compliant within 90 days, an additional fine of \$1,000 per day would be assessed for each day of continued non-compliance for the following 90 days. The Commission reserved the right to amend time periods. Per Commission order dated November 6, 2023, once an operator reached full compliance, the operator was directed to contact Commission staff with the Gas Pipeline Safety Division to initiate an inspection by Commission staff to verify full compliance. Once Commission staff had determined full compliance had been obtained and so advised the operator, the operator was directed to file a petition under this docket seeking a formal finding of compliance and dismissal from this proceeding. Decatur Housing Authority, Town of Wilton and Camp Hill have filed for dismissal from this proceeding. Commission staff has inspected and confirmed compliance with the

Commission's November 6, 2023 order, and recommended a finding of compliance with Commission's November 6, 2023 order, dismissal from this proceeding, and the \$50,000 fine waived for Decatur Housing Authority, Town of Wilton and Camp Hill.

Upon motion by Commissioner Cavanaugh and seconded by Commissioner Oden, the Commissioners voted unanimously to accept the recommendation.

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Judge Garner recommended approval of the administrative item.

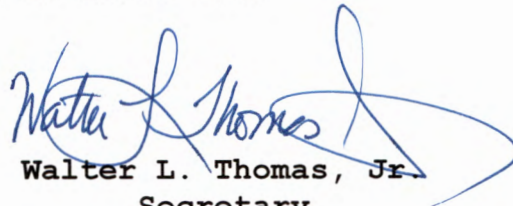
Upon motion by Commissioner Beeker and seconded by Commissioner Oden, the Commissioners voted unanimously to accept the recommendation.

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Commissioner Cavanaugh concluded with stating that the next Commission meeting is scheduled for Tuesday, April 2, 2024.

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There being no further business, Commissioner Cavanaugh adjourned the meeting at 10:38 a.m.


Walter L. Thomas, Jr.
Secretary