

MINUTES OF A MEETING
OF THE
ALABAMA PUBLIC SERVICE COMMISSION
HELD TUESDAY, OCTOBER 1, 2024

The October 2024 meeting of the Alabama Public Service Commission was held on Tuesday, October 1, 2024, in the RSA Union Building, Central Conference Room 300, 100 North Union Street, Montgomery, Alabama. Commission President Twinkle Andress Cavanaugh called the meeting to order at 10:00 a.m. with Commissioner Jeremy H. Oden and Commissioner Chris V. Beeker, III, 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, Public Utility Analyst Manager; Amanda Shehane, Utility Enforcement Director; Jeffery Johnston, Utility Services Division Director; Jonathan Kimbril, PSC Gas Pipeline Safety Division Director; Tashenma Lawrence, Public Utility Analyst; Caleb Hicks, Communication and Public Relation Manager; Rozetta Parker, Personnel Assistant III; Janey Whitney, Technical Assistant to Commissioner Cavanaugh; Debbie Williams, Executive Assistant to Commissioner Cavanaugh; Mary Catlin Montgomery, Technical Assistant to Commissioner Beeker; Aisha Smith, Executive Assistant to Commissioner Oden; Kay Oswald, Information Systems Manager; Chalandra Betts, IT Technician; 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 September 4, 2024.

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Commissioner Oden introduced Ms. Rozetta Parker 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 September 10, 2024, Commission Meeting.

Upon being motioned by Commissioner Oden and seconded by Commissioner Caavanaugh, 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 September 2024 as follows: Alabama Power Company had seventeen residential inquiries and two business inquiries, Spire Alabama had three residential inquiries, and Spire Gulf had none. There was a total of fifteen telecommunication inquiries, consisting of two under Public Service Commission jurisdiction, six were referred back to the companies since the company's waived jurisdiction and seven not under PSC jurisdiction.

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Mr. Johnston reported on Rate RSE for Spire Alabama Inc., based on preliminary figures as of August 31, 2024, the RSE return on average common equity for the fiscal year ending September 30, 2024, was 9.72 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 August 31, 2024, the projected RSE return on average common equity for the rate year ending September 30, 2024, was 9.41 percent. The authorized return on average common equity is 9.70 to 10.30 percent.

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Mr. Johnson reported from the Utility Services Division on Informal Docket U-5470, Spire Alabama Inc., Application for approval of a base contract for the sale and purchase of natural gas with Vitol Inc., 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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Mr. Johnson then reported on Formal Docket 33279, Blue Hole Water Company, Inc., Request approval for water rate increase for all customers. Staff has reviewed the filing and recommends that the filing be suspended for 180 days to and through April 13, 2025, and recommended granting suspension.

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

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GAS PIPELINE SAFETY DIVISION

Mr. Kimbril reported for the Gas Pipeline Safety (GPS) Division Agenda on the following inspections during the month of

July.

Inspections

During the month of August, a total of thirty-seven (37) inspections were conducted utilizing one hundred and a half (100.5) person-days. The inspections are as follows:

		STANDARD INSPECTION	CONSTRUCTION	OPERATOR QUALIFICATION	PUBLIC AWARENESS	IMP / DIMP	CONTROL ROOM MGMT	INCIDENT / ACCIDENT	SECTION 114	DRUG & ALCOHOL	FOLLOW-UP	
GAS PIPELINE SYSTEMS	PRIVATE		1								1	TOTAL
	MUNICIPAL	5	11	1		1		1			1	
	MASTER METER										7	
	LIQUID PROPANE (LP)											
	LIQUIFIED NATURAL GAS (LNG)	4										
	INTRASTATE TRANSMISSION	1		1			1					
	GAS GATHERING											
	OFFSHORE GAS											
LIQUID PIPELINE SYSTEMS	REFINED PETROLEUM PRODUCTS											
	CRUDE OIL										1	
	HVL FLAMMABLE / TOXIC											
	CARBON DIOXIDE											
	BIOFUEL											
TOTALS		10	12	2		1	1	1			10	37

Training

Three (3) operator/contractor training session on Polyethylene

(PE) plastic fusion and one (1) fire response training were conducted in August:

- 8/6/2024 Dadeville Utilities PE 21 Personnel Trained
- 8/20/2024 Riviera Utilities PE 23 Personnel Trained
- 8/27/2024 Leak City (ANGA Fall) PE 24 Personnel Trained
- 8/27/2024 Leak City (ANGA Fall) Fire 28 Personnel Trained

Enforcement Actions

From the thirty-seven (37) inspections shown above, four (4) enforcement letters of notification were issued noting sixteen (16) non-compliance issues. There were eighteen (18) non-compliance items corrected during the month of August.

Incidents/Accidents

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

- 8/18/2024 Clarke-Mobile Counties Gas District - A house fire with reported explosion occurred. It was determined the explosion was oxygen tanks exploding from a fire not related to natural gas. There was loss of life.

Miscellaneous

Gas Pipeline Safety (GPS) had personnel attend eight (8) public awareness meetings, each sponsored by different Operators.

GPS also participated in groundbreaking ceremonies with the cities of Graysville and Cordova, where both projects aim to replace leak-prone cast-iron pipelines with new Polyethylene mains.

Additionally, GPS co-sponsored and attended the Louisiana Gas Association's annual pipeline safety conference. GPS uses this conference to provide training for Alabama Hazardous Liquid Operators.

UTILITY ENFORCEMENT DIVISION

Mrs. Shehane reported from the Utility Enforcement Division describing the major task, inspections and activities accomplished by its staff during the month of August 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
5	17	56	0	286	96

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

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
8	11	18	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
5	17	111	0	692

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 on railroad inspections, repair records, and highway grade crossings, as shown below.

	Track Inspection Records	MP&E Railcar & Locomotive Repair Records	Highway Grade Crossings
Inspections	7	3	0
Units Inspected	506	99	0
Defects	0	0	0

There were two incidents reported by the National Response Center (NRC) in August:

1. A railcar explosion involving two tank cars resulting in a derailment, a chlorine release, and minor injuries of three employees in Mobile on Evonik.
2. A fuel truck strike in a rail yard with a 2,000-gallon release in Irondale on NS.

The RWS Administrator completed the FRA Operating Practices Fundamentals II training in Pueblo, Colorado.

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
12	11	3	0	11	10	62	58	26

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
320	23	17	5	41	63	92

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
0	0	82	0	23	4

As of August 31st, 9,105 Alabama carriers (92%) were registered for 2024 UCR with 745 remaining unregistered.

MCS staff participated in the UCR Enforcement Subcommittee and UCR Board calls 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). One MCS-150 form containing updates to the motor carriers' USDOT number data was processed.

Five For Non-Profit quarterly reports for the second quarter 2024 were received in August.

In August, five annual reports were received for the year ended 2023.

Staff met with Crocker Moving Service, L.L.C. (C4106) regarding its June 27th audit. The carrier was educated on their current tariff on file with the Commission and staff answered questions they may have had.

During the month one desk audit was completed on Teague Brothers Transfer & Storage Co. Inc. (C3378). Two issues were found and the carrier was advised to follow their tariff or submit a new tariff/supplement.

The MCS staff participated in two transportation network company hearings on August 13th.

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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 6.19 percent. Mrs. Smith also reported for the month of August 2024 energy cost applicable to Rate ECR was over-recovered by \$20,909,379. The authorized Weighted Retail Return on Average Common Equity Range is 5.75-6.15 percent.

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LEGAL DIVISION

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

Informal Docket C-21007, Petition of Cooper Trucking, LLC, of Macon, Mississippi for reinstatement of motor carrier certificate F2748 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-20892, Petition of Tide Delivery, Inc., of

Northport, Alabama for reinstatement of motor carrier certificate F1224 which was revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage, and recommended granting reinstatement of certificate;

Formal 33464, Petition of Inspirational NEMT Services, LLC of Phenix City, Alabama for an extension of time to make the required filings, and recommended granting additional 90 days to allow the applicant to make the required filings;

Formal Docket 33500, Unopposed motor carrier application of J & S Prestige, LLC, of Wetumpka, Alabama for a certificate to transport passengers. A hearing was held, at which time the applicant presented evidence to fulfill the statutory requirements for the authority sought to be granted. The Applicant waived its right to a Report and Recommended order, and recommended granting approval of application; and

Formal Docket 33204, Unopposed contract carrier application of Enterprise Rescue, Inc., of Enterprise, Alabama for contract carrier authority, and to extend an existing common carrier operation under motor carrier certificate 4136. A hearing was held, at which time the applicant presented evidence to fulfill the statutory requirements for the authority sought to be granted. The Applicant waived its right to a Report and Recommended order at the hearing, and recommended granting approval of application.

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

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Judge Bentley reported from the Legal Division 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. On March 7, 2024, the Commission granted Intrepid a six-month extension of that requirement. Intrepid now requests an additional six-month extension of that requirement, to March 8, 2025, and recommended granting request for six-month extension.

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 on Formal Docket 22671, Tishomingo County Water District ("Tishomingo Water") requests a finding that it is not subject to regulation by the Commission. In support of this request, Tishomingo Water provided documentation to show that it is a non-profit entity that provides water supply only to its own members, not to the general public. It also submitted its governance documents as evidence that its members elect and may remove its board members, and recommended issue an order finding that, based on provided documents, Tishomingo County Water District is not a public utility and therefore not subject to Commission regulation.

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

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Hearing Officer Chad Mason reported on the Legal Division on Formal Docket 33501, Unopposed motor carrier application of Johnny on the Spot Car Service LLC of Fairhope, Alabama for a certificate to transport passengers. The Applicant waived its right to a Report and Recommended order, and recommended granting approval of application.

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

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Judge Garner recommended approval of the administrative items.

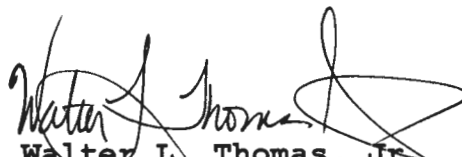
Upon motion by Commissioner Oden and seconded by Commissioner Cavanaugh, the Commissioners voted unanimously to accept the recommendation.

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Commissioner Cavanaugh concluded with stating that the next Commission meeting is scheduled for Tuesday, November 5, 2024.

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There being no further business, Commissioner Cavanaugh adjourned the meeting at 10:23 a.m.



Walter L. Thomas, Jr.
Secretary