

MINUTES OF A MEETING
OF THE
ALABAMA PUBLIC SERVICE COMMISSION
HELD TUESDAY, January 7, 2025

The January 2025 meeting of the Alabama Public Service Commission was held on Tuesday, January 7, 2025, 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 10:00 a.m. with Commissioner Jeremy H. Oden and Commissioner Chris V. Beeker, III, present. The following staff members were also present: John A. Garner, and Chief Administrative Law Judge; Luke Bentley; Administrative Law Judge; Chad Mason, Hearing Officer; Patricia Smith and Donald Powell, Public Utility Analyst Managers; Amanda Shehane, Utility Enforcement Division Director; Aquilla Spivey, Consumer Service Manager; Jeffery Johnston, Utility Services Division Director; Jonathan Kimbril, PSC Gas Pipeline Safety Division Director; Devon Beaty, PSC Transportation Regulatory Manager; Tanya Champion, and Matthew Singleton, Public Utility Analyst; William Partlow, Staff Accountant; Janey Whitney, Technical Assistant to Commissioner Cavanaugh; Debbie Williams, Executive Assistant to Commissioner Cavanaugh; Aisha Smith, Executive Assistant to Commissioner Oden; Mary Caitlyn Montgomery, Technical Assistant to Commissioner Beeker; Kaitlyn Rayborn, Executive Assistant to Commissioner Beeker; Kay Oswalt, Information Systems Manager; Chalandra Tolliver, IT Technician; Jerry Delancey, 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 November 25, 2024.

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Commission Cavanaugh introduced Commissioner Oden 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 December 3, 2024, Commission Meeting.

Upon being motioned by Commissioner Oden and seconded by Commissioner Cavanaugh, 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 December 2024 as follows: Alabama Power Company had sixteen residential inquiries, Spire Alabama had one residential inquiry, and Spire Gulf had zero residential inquire. There was a total of seven telecommunication inquiries, consisting of zero under Public Service Commission jurisdiction, five were referred back to the companies since the company's waived jurisdiction and two were not under PSC jurisdiction.

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Mr. Johnston reported on Rate RSE for Spire Alabama Inc., based on preliminary figures as November 30, 2024, the projected RSE return on average common equity for the rate year ending September 30, 2025, was 9.90 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 November 30, 2024, the projected RSE return on average common equity for the rate year ending September 30, 2025, was 10.20 percent. The authorized return on average common equity is 9.70 percent to 10.30 percent.

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Mr. Johnson reported on the following dockets from the Utility Service Agenda:

Informal Docket U-5477, Spire Alabama, Inc., Application for approval of Base Contract for Sale and Purchase of Natural Gas with Gunvor USA LLC 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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Formal Docket 29120, Plantation Water System, Application Petition to increase residential water rates for Plantation Water System 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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Informal Docket U-5476, Bellsouth Telecommunications, LLC D/B/A AT&T Alabama or AT&T Southeast and BIF Intrepid OPCO LLC, Application for approval of an Interconnection Agreement between BellSouth Telecommunications, LLC d/b/a AT&T Alabama or AT&T Southeast and BIF IV Intrepid OpCo LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 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. Johnston noted that the remaining item on the Telecommunications Agenda under "Summary of Other Filings" are for informational purpose only.

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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 November.

Inspections

During the month of November, a total of forty-two (42) inspections were conducted utilizing ninety-five (95) 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		3								1	TOTAL
	MUNICIPAL	10	10	1	1	3					4	
	MASTER METER											
	LIQUID PROPANE (LP)											
	LIQUIFIED NATURAL GAS (LNG)											
	INTRASTATE TRANSMISSION	5									1	
	GAS GATHERING											
	OFFSHORE GAS											
LIQUID PIPELINE SYSTEMS	REFINED PETROLEUM PRODUCTS	1			1							
	CRUDE OIL										1	
	HVL FLAMMABLE / TOXIC											
	CARBON DIOXIDE											
	BIOFUEL											
TOTALS		16	13	1	2	3					7	42

Training

Three (3) operator/contractor training session on Polyethylene (PE) plastic fusion and zero (0) fire response training were conducted in November:

- 11/16/2024 Trussville Utilities PE 40 Personnel Trained
- 11/13/2024 Northwest AL Gas Dist. PE 21 Personnel Trained
- 11/19/2024 Leak City PE 11 Personnel Trained

Enforcement Actions

From the forty-two (42) inspections shown above, seven (7) enforcement letters of notification were issued noting thirty-nine (39) non-compliance issues. There was one (1) non-compliance item corrected during the month of November.

Incidents/Accidents

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

Miscellaneous

Gas Pipeline Safety (GPS) has nothing to note for the month of November.

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 November 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
7	12	7	1	15	1

The table below reflects track safety observations in which one non-compliant condition was identified. Forty-five roadway workers, bridge workers, and practices were observed.

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
0	5	6	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
3	8	85	0	528

The table below shows the Operating Practices (OP) inspections performed on railroad operations.

Rail Carriers Visited	Regular OP Inspections	Defects Identified	Violations Recommended	Eqpt. Securement Observed
3	10	11	2	32

The table below shows observations completed by the MP&E and OP Inspectors in which no non-compliant conditions were identified.

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

The data below reflects both track and MP&E inspectors' record inspection review on railroad inspections, repair records, and highway grade crossings.

	Track Inspection Records	MP&E Railcar & Locomotive Repair Records	Highway Grade Crossings
Inspections	5	2	3
Units Inspected	54	62	37
Defects	0	0	0

The National Response Center (NRC) reported eight incidents in November:

1. A trespasser strike with fatal injuries in Salem on NS.
2. A derailment with a release of plastic pellets in Talladega on EARY.

3. A hazmat release (sulfuric acid) in Montgomery on CSX.
4. A deceased body was found near the tracks (no railroad incident) in Athens on CSX.
5. A trespasser strike with fatal injuries in Bessemer on NS.
6. A hazmat release (500 gallons of diesel fuel) in Prattville on AUT.
7. A vehicle strike resulted in unknown injuries to the vehicle operator and railroad conductor in Mount Vernon on NS.
8. A derailment with a release of plastic pellets in Georgiana on THNR.

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
15	14	1	2	10	6	54	58	23

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
252	20	10	2	37	38	65

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
5	1	55	7	45	11

As of November 30th, 3,581 Alabama carriers (42%) were registered for 2025 UCR with 4,993 remaining unregistered. Our office received funds from the UCR Depository for October online payments processed through the National Registration System (NRS) that came from 3,042 carriers domiciled in Alabama and in non-participating states.

MCS staff attended a UCR call to give feedback regarding the Standards & Best Practices Course Review which is part of the UCR Learning Management System the UCR Board is creating.

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

There were four For Non-Profit (FNP) quarterly reports received from FNP carriers for the third quarter, one for the second quarter, and one for the first quarter of 2024.

In November, passenger tariffs for Johnny On The Spot Car Service LLC (C4168) and Inspirational NEMT Services, LLC (C4160) were received and accepted. Additionally, one passenger supplement for Angel Wing's Transport, L.L.C. (C4163) was accepted.

Staff participated in two passenger carrier hearings that were held during November for:

- DBT of Alabama LLC
- Wheelcare, L.L.C

One desk audit was completed on the following household goods carriers:

- Applewhite Movers LLC (C4119)- Several issues were found, and the carrier was advised to follow its current staff tariff or submit a new tariff/ supplement.

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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 6.43 percent. Mrs. Smith also reported for the month of November 2024 energy cost applicable to Rate ECR was over-recovered by \$20,800,683. The authorized Weighted Retail Return on Average Common Equity Range is 5.75-6.15 percent.

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Mrs. Champion reported on Informal Docket U-5024, On December 20, 2024, Alabama Power Company (the "Company") filed a petition seeking to modify Rate BTAL (Business Time Advantage - Large). The Company proposes to include language that acknowledges its right to negotiate terms and conditions in the contract for electric service that customers taking service under the rate typically execute if the service request reflects a load obligation in excess of 30,000 kVA. The Company's filing letter explains that comparable language exists in other rate schedules used for large load customers. The Company also notes that consistent with the requirements of the *Code of Alabama*, such negotiated terms and conditions would be subject to Commission approval, and recommended granting approval of petition.

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

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LEGAL DIVISION

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

Formal Dockets 32451, Petition of New Line Transport, LLC d/b/a Tri State Carriers, of Miami, Florida, for cancellation, and recommend granting cancellation,

Informal Formal Docket C-21111, Petition of G4 Hauling and Excavation, LLC, of Valley head, Alabama, for approval of cargo self-insurance, and recommended granting approval of application,

Formal Docket 33048, Petition of Dutton Investments, LLC d/b/a College Hunks Hauling Junk & Moving, of Daphne, Alabama, for cancellation of Motor Carrier Certificate 4114, and recommend granting cancellation,

Informal Docket C-21072 and Formal Docket 33222, Petition of Danny E Beck d/b/a D&H Trucking of Letohatchee, Alabama, for cancellation of Motor Carrier Certificate F5319 (Docket 33222). Motor Carrier Certificate F5319 was revoked by Commission Order dated November 5, 2024, due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage (Informal Docket C-21072); and recommended vacate November 5, 2024, order of Revocation and reinstatement of motor carrier certificate F5319, and

Informal Docket C-21069, Petition of Jeff's Mobile Home Transporters, Inc., of Wilmer, Alabama, for reinstatement of Motor Carrier Certificate F3024 which was revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage; and recommended Revocation and reinstatement of motor carrier certificate F3024.

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

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

Formal Docket 27256, Petition of Farmer's Telecommunications Corporation ("FTC") for designation as an Eligible Telecommunications Carrier ("ETC") solely for the purpose of offering Lifeline Service in Alabama, and recommended granting approval of application.

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

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Judge Garner recommended approval of the administrative items.

Upon motion by Commissioner Cavanaugh and seconded by Commissioner Beeker, 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, February 4, 2025.

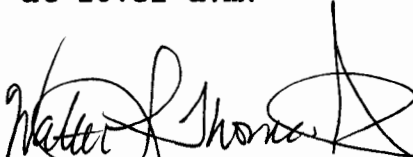
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There being no further business, Commissioner Cavanaugh adjourned the meeting at 10:32 a.m.



Walter L. Thomas, Jr.
Secretary