

MINUTES OF A MEETING
OF THE
ALABAMA PUBLIC SERVICE COMMISSION
HELD TUESDAY, FEBRUARY 4, 2025

The February 2025 meeting of the Alabama Public Service Commission was held on Tuesday, February 4, 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: Luke Bentley; Administrative Law Judge; Chad Mason, Hearing Officer; Amanda Shehane, Utility Enforcement Division Director; Jeffery Johnston, Utility Services Division Director; Jonathan Kimbril, PSC Gas Pipeline Safety Division Director; John Free, Electricity Policy Division Director; Patricia Smith and Donald Powell, Public Utility Analyst Managers; Aquilla Spivey, Consumer Service Manager; 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, Technical 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 and Arthur Leslie, Administrative Assistants; 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 December 31, 2024.

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Commissioner Cavanaugh introduced Commissioner Beeker who introduced Mr. Landon Adams to open the meeting with a prayer and to lead 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 January 7, 2025, 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 Complain Inquiries for the period of January 2025 as follows: Alabama Power Company had thirteen residential inquiries, Spire Alabama had three residential inquiries, and Spire Gulf had one residential inquiry. There was a total of seven telecommunication inquiries, consisting of two under Public Service Commission Complaint Jurisdiction, four were referred back to the companies since the companies' waived jurisdiction and one was not under Public Service Commission Jurisdiction.

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Mr. Johnston reported on Formal Dockets 10846 and 18328, Spire Alabama Inc., Division Report on Rate RSE as of December 31, 2024. Mr. Johnston reported on Rate RSE for Spire Alabama Inc., based on preliminary figures as of December 31, 2024, the projected RSE return on average common equity for the rate year ending September 30, 2025, was 10.09 percent. The authorized return on average common equity is 9.50 to 9.90 percent.

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Mr. Johnston reported on Formal Docket 28101, Spire Gulf Inc., Division Report on Rate RSE as of December 31, 2024. Based on preliminary figures as of December 31, 2024, the projected RSE return on average common equity for the rate year ending September 30, 2025, was 10.24 percent. The authorized return on average common equity is 9.70 to 10.30 percent.

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Mr. Johnston reported on Formal Docket 31555, O'Brien Environmental Services, LLC, Petition to remove Lakemont Village Subdivision's wastewater treatment plant from O'Brien Environmental Services, LLC's Certificate of Financial Viability and recommended approval.

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

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Mr. Johnston reported on Formal Docket 31803, Integrated Wastewater Management, Inc. Petition for a Certificate

Modification of the Certificate of Financial Viability of Integrated Wastewater Management, Inc. to add Lakemont Village Subdivision in St. Clair County, Alabama and recommended approval

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

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Mr. Johnston reported on Formal Docket 32606, Pinnacle Wastewater Systems, LLC, Petition to modify (increase) residential rates and vacant lot fees. Staff have reviewed Pinnacle Wastewater Systems, LLC's filing and recommended suspension for 180 days from the effective date, to and through August 28, 2025.

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

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GAS PIPELINE SAFETY DIVISION

Inspections

Mr. Kimbril reported for the Gas Pipeline Safety (GPS) Division Agenda on the following inspections during the month of December 2024.

During the month of December, a total of fifty (50) inspections were conducted utilizing eighty-six and half (86.5) 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	TOTAL
GAS PIPELINE SYSTEMS	PRIVATE		3								2	
	MUNICIPAL		26			2					12	
	MASTER METER		1								2	
	LIQUID PROPANE (LP)											
	LIQUIFIED NATURAL GAS (LNG)											
	INTRASTATE TRANSMISSION										2	
	GAS GATHERING											
	OFFSHORE GAS											
LIQUID PIPELINE SYSTEMS	REFINED PETROLEUM PRODUCTS											
	CRUDE OIL											
	HVL FLAMMABLE / TOXIC											
	CARBON DIOXIDE											
	BIOFUEL											
TOTALS			30			2					18	50

Training

One (1) operator/contractor training session on emergency response and pipeline regulations was conducted in December:

- 12/5/2025 Montgomery, AL Seminar 350 Personnel Trained

Enforcement Actions

From the fifty (50) inspections shown above, zero (0) enforcement letters of notification were issued leading to (0) non-compliance issues. There were twenty-nine (29) non-compliance items corrected during the month of December.

Incidents/Accidents

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

- 12/13/2024 Spire Alabama-A contractor using a boring machine struck and damaged the gas main while installing electrical conduit. It appears the gas line was accurately marked

Miscellaneous

The Pipeline Safety Conference held in early December focused on critical topics such as emergency response and public safety. This event was a collaborative effort between the Gas Pipeline Safety (GPS) division and the Alabama Natural Gas Association (ANGA), whose members comprise the majority of pipeline operators across the state. The conference provided a platform for sharing best practices, enhancing safety protocols, and fostering stronger partnerships between industry stakeholders and regulatory authorities.

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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 December 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	20	76	0	36	107

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

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
3	8	11	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	9	83	0	449

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	0	0

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

	Track Inspection Records	MP&E Railcar & Locomotive Repair Records	Highway Grade Crossings
Inspections	9	2	1
Units Inspected	279	38	41
Defects	11	0	6

The National Response Center (NRC) reported one incident in December:

1. A deceased body was found on the tracks in Grand Bay on CSX.

The newly hired RWS track inspector started on December 2nd. He began his FRA training courses and performed track inspections and training under the supervision of certified track inspectors.

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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 Applicatio ns	Under Legal Division Review	New Authority Approved	Motor Carrier Authority Inquiries		
	Proce ssed	Return ed				Phone	E-mails	Others
12	7	0	3	3	7	58	107	19

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	28	8	4	19	50	101

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

UCR Applications		UCR Mailouts for 2024/2025	UCR Audit Correspondence	UCR Inquiries	
Received	Returned			Phone	E-mail
8	2	1,187	6	128	26

As of December 31st, 5,501 Alabama carriers (63%) were registered for 2025 UCR with 3,181 remaining unregistered. Our office received funds from the UCR Depository for November online payments processed through the National Registration System (NRS) from 1,343 carriers domiciled in Alabama and non-participating states.

In December, \$687 was collected for Focused Anomaly Reviews (FARs) audits for the 2025 UCR registration year.

MCS staff attended the UCR Board meeting 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). Six MCS-150 forms were processed. One motor carrier had its USDOT number deactivated, and five forms contained updates to the motor carriers' USDOT number data.

Eighty-nine For Non-Profit (FNP) quarterly reports for the fourth quarter of 2024 were sent to FNP carriers by mail and e-mail. Our office received two FNP quarterly reports for the fourth quarter of 2024 and two for the third quarter of 2024 during the month.

In December, a passenger tariff for DTB of Alabama LLC (C4170) and one for J & S Prestige LLC (C4167) were accepted. Also, one household goods supplement for an existing tariff for Jim Potter & Sons, Inc. (C2663) was approved.

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

- Park Transfer and Storage Company, Inc. (C661) - Several issues were found, and the carrier was advised to

follow its current tariff or submit a new tariff/supplement.

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ELECTRICITY POLICY DIVISION

Mr. John Free and Ms. Patricia Smith reported on Alabama Power Company's Weighted Return on Average Retail Common Equity Calculation for the 12 Months Ended December 31, 2024

Mrs. Smith reported on Formal Dockets 18117 and 18416; 18148 Division Report on Rate RSE and Rate ECR as of December 31, 2024. The Electricity Policy Division performed the regular monthly examination of the books and records of Alabama Power Company and found a 6.02% Weighted Return on Average Common Equity and Energy Cost Over/(Under) \$5,273,331.

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Mrs. Smith reported that this calculation reflects the amount of revenue to be returned for the benefit of customers, which at this time is estimated to be approximately \$12.5 million. This calculation also reflects a discretionary accrual by the Company from shareholders' funds of \$62.5 million to the Reliability Reserve and \$20.8 million to the Natural Disaster Reserve.

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Commissioner Cavanaugh reported that under normal RSE procedures, the 2024 end of year refund would be usually made in April of this year. However, due to bill credits associated with last year's spent nuclear fuel judgements that are currently on customer bills in January, February, and March, the billing system updates needed to implement this RSE refund cannot be put in place until May.

Commissioner Cavanaugh moved that Alabama Power provide bill credits associated with the RSE refund of approximately \$12,500,000 on eligible customers' May billings. Upon a second by Commissioner Oden, the Commissioners unanimously passed the motion.

LEGAL DIVISION

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

Informal Docket C-21054, Petition of Top Shelf Logistics, LLC of Clanton, Alabama, for reinstatement of Motor Carrier Certificate F4733 which was revoked due to Petitioner's failure to maintain proper proof of cargo and liability insurance coverage, and recommended granting reinstatement;

Formal Docket 33508, Unopposed motor carrier application of Jefferson and Jefferson Express, L.L.C., of Phenix City, Alabama, for a certificate to transport passengers and their baggage as a common and a contract carrier, and recommended grant of authority sought as amended;

Informal Docket C-21091, Petition of Herbell Brandon Popwell d/b/a B & B Trucking of Deatsville, Alabama, for reinstatement of Motor Carrier Certificate F4589 which was revoked due to Petitioner's failure to maintain proper proof of cargo and liability insurance coverage, and recommended grant of reinstatement; and

Formal Docket 33526, Unopposed motor carrier application of Baldwin County Non-Emergency Medical Transport, LLC, of Daphne, Alabama, for a certificate to transport passengers and their baggage as a common contract carrier as amended, and recommended grant of authority sought as amended.

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

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Hearing officer Mason reported on Formal Docket 33396, Unopposed common carrier application of Preferred NEMT LLC, of Selma, Alabama, to extend an existing common carrier operation under Motor Carrier Certificate 4151 and recommended the application be granted.

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

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

Formal Docket 24075; 18039, Petition of Delta Dump Truck, Inc. of Birmingham Alabama for cancellation of Motor Carrier Certificates C2826 (Docket 18039) and F110 (Docket 24075). Judge Bentley recommended grant cancellation as requested; and

Informal Docket C-21131, Petition of Long Horn Haulers LLC, of Harvest, Alabama, for approval of cargo self insurance and recommended approval.

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

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Judge Bentley on behalf of Judge Garner reported on Formal Docket 29755, Petition of Callis Communications, Inc., of Mobile, Alabama, for cancellation of its Competitive Local Exchange Carrier authority. Callis represents that it has no customers of revenues and recommended cancellation as requested.

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

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Judge Bentley recommended approval of the administrative item.

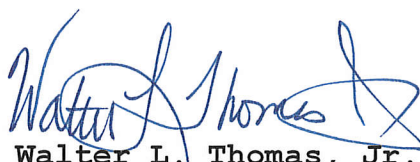
Upon motion by Commissioner Cavanaugh and seconded by Commissioner Oden, the Commissioners voted to unanimously to accept the recommendation.

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Commissioner Cavanaugh concluded with stating that the next Commission meeting is scheduled for Tuesday, March 4, 2025

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There being no further business, Commissioner Cavanaugh adjourned the meeting at 10:22 a.m.


Walter L. Thomas, Jr.
Secretary