

MINUTES OF A MEETING

OF THE

ALABAMA PUBLIC SERVICE COMMISSION

HELD Tuesday, July 1, 2025

The July 2025 meeting of the Alabama Public Service Commission was held on Tuesday, July 1, 2025, in the Carl L. Evans Chief Administrative Law Judge Hearing Room Complex, 100 North Union Street, Montgomery, Alabama. Commission President Cynthia Lee Almond 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 Garner, Chief Administrative Law Judge and Executive Director; Luke Bentley and Chad Mason, Administrative Law Judges; Amanda Shehane, Utility Enforcement 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 Analysts; William Partlow, Staff Accountant; 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; Jackie Mack and Barbara Smith, Administrative Assistants; Walter L. Thomas Jr., Secretary of the Commission.

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Commissioner Almond noted that the public was informed of today's Commission meeting by notice dated May 29, 2025.

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Commissioner Oden opened the meeting with a prayer and led the audience in the Pledge of Allegiance.

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Commissioner Almond then opened the floor for a motion to approve the minutes of the June 5, 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. Jeff Johnston reported for the Utility Services Division on Consumer Service Complaint Inquiries for the period of June 2025 as follows: Alabama Power Company had thirty-one residential and one business inquiries, Spire Alabama had five residential inquiries and zero business inquiries, and Spire Gulf had zero residential and zero business inquiries. There was a total of five telecommunication inquiries, consisting of one under Public Service Commission Complaint Jurisdiction, four were referred back to the companies since the Public Service Commission waived jurisdiction, and zero were 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 May 31, 2025. Mr. Johnston reported on Rate RSE for Spire Alabama Inc., based on preliminary figures as of May 31, 2025, the projected RSE return on average common equity for the rate year ending September 30, 2025, was 9.74 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 May 31, 2025. Based on preliminary figures as of May 31, 2025, the projected RSE return on average common equity for the rate year ending September 30, 2025, was 9.64 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 U-5481, Blountsville Telephone LLC D/B/A Gonetspeed And Level 3 Communications, LLC, Approval of an Amendment to the Interconnection Agreement between Blountsville Telephone LLC d/b/a GoNetspeed and Level 3 Communications, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 and recommended approval.

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

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Mr. Johnston noted that the remaining item on the telecommunications Agenda under are for informational purpose only.

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## GAS PIPELINE SAFETY DIVISION

Mr. Jonathan Kimbril reported for the Gas Pipeline Safety (GPS) Division Agenda on the following inspections during the month of May 2025.

### Inspections

During the month of May, a total of sixty-eight (68) inspections were conducted utilizing eighty-nine and half (89.5) 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		4	2	1	1				1		TOTAL
	MUNICIPAL	9	7	2	1					1	9	
	MASTER METER			1							1	
	LIQUID PROPANE (LP)											
	LIQUIFIED NATURAL GAS (LNG)		1									
	INTRASTATE TRANSMISSION	8		5	1				2	2	1	
	GAS GATHERING	1		1					1			
	OFFSHORE GAS											
LIQUID PIPELINE SYSTEMS	REFINED PETROLEUM PRODUCTS	1								1	1	
	CRUDE OIL	1								1		
	HVL FLAMMABLE / TOXIC											
	CARBON DIOXIDE											
	BIOFUEL											
TOTALS		20	12	11	3	1			3	6	12	68

### Training

Two (2) operator/contractor training session on Polyethylene (PE) plastic fusion and zero (0) fire response training were conducted in May:

- 5/4/2025 Cullman-Jefferson PE 18 Personnel Trained
- 5/20/2025 Leak City- Athens, Al PE 19 Personnel Trained

### Enforcement Actions

From the sixty-eight (68) inspections shown above, seven (7) enforcement letters of notification were issued leading to twenty (20) non-compliance issues. There were forty-four (44) non-compliance items corrected during the month of May.

### Incidents/Accidents

There were four (4) state reportable incidents, and zero (0) federal incidents reported during the month of May.

- 5/8/2025 - Spire Gulf - A contractor struck and ruptured a 2" steel main while digging and pulling it out of a dresser coupling that connected steel and polyethylene pipe. The contractor failed to contact Alabama 811 and did not obtain a locate ticket prior to excavation.
- 5/22/2025 - Athen Gas - During a critical valve inspection, an employee inadvertently left a valve in the "off" position, mistakenly believing it had been left open. The incident involved a valve located in a damaged box.
- 5/23/2025 - Spire Gulf - A contractor performing a cross bore for a telecommunications line struck an unmarked 20" gas main located approximately 10 feet underground. A temporary wrap was applied to stop the leak, and a soap test confirmed there were no further leaks. The operator plans to return for a permanent repair.
- 5/30/2025 - Florence Gas - The Florence Electricity Department accidentally severed a 6" PE gas main using an auger while installing an electric pole. Preliminary findings indicate the locate marks were approximately two feet off. The gas main had been located by Line Quest.

### Miscellaneous

The Gas Pipeline Safety (GPS) program recently attended the National Association of Pipeline Safety Representatives (NAPSR) Southern Region meeting. During this meeting, anticipated regulatory changes were discussed, along with several updates to the program guidelines that outline the framework state programs must follow.

We are proud to announce that Alabama has accepted the Vice Chair position for the NAPSR Southern Region. As part of this role, the Alabama GPS program will be responsible for planning, organizing, and hosting the Southern Region meeting in 2027.

### UTILITY ENFORCEMENT DIVISION

Mrs. Amanda Shehane reported from the Utility Enforcement Division's Memorandum describing the major tasks, inspections and activities accomplished by its staff during the month of May 2025.

### 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	10	34	0	139	67

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

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
10	8	8	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	9	64	0	436

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	0	2	0
Units Inspected	0	54	0
Defects	0	0	0

The National Response Center (NRC) reported three incidents in May:

1. An ATV strike with unknown injuries in Irvington on CSX.
2. A motorcycle struck a train with fatal injuries in Decatur on NS.
3. A motor oil release resulting from a motor vehicle accident on railroad property with no reported injuries in Paintrock on NS

RWS hired an Operating Practices (OP) inspector. This is the first time that the APSC has employed an OP inspector. This addition to our inspection staff will help ensure that railroad operations are conducted in compliance with the regulations. In turn, this will contribute to reducing human factor incidents. Human factor incidents continue to be a leading cause in railroad derailments and employee casualties.

#### 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 Registrati on 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
18	21	6	0	11	9	70	54	18

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
363	20	14	10	34	65	94

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

UCR Applications		UCR Mailouts for 2025	UCR Audit Correspondence	UCR Inquiries	
Received	Returned			Phone	E-mail
0	0	72	38	23	9

As of May 31st, 7,992 Alabama carriers (89%) were registered for the 2025 UCR, with 982 remaining unregistered. Our office received funds from the UCR Depository for April online payments processed through the National Registration System (NRS) from 334 carriers domiciled in Alabama and non-participating states.

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

Our office received nine For Non-Profit (FNP) quarterly reports for the first quarter of 2025 during the month.

Staff received forty-five 2024 annual reports from household goods and passenger carriers. Fifty-one delinquent letters were mailed to all Household Goods and Passenger carriers that failed to meet the April 30th deadline.

In May, two household goods tariffs for Your Carrier LLC (NEW) and The Wes Stewart Corporation dba Stewart Moving & Storage (NEW)

were received and accepted. Also, a regular passenger tariff for Baldwin County Non-Emergency Medical Transport LLC (C4173) was accepted.

Staff participated in two passenger carrier hearings held during May for:

- Inspirational NEMT Services Transportation Inc.
- LCS On The Move, LLC dba LCS On The Move

MCS staff, Finance staff, and Legal staff held a call with Lyft, Inc. to discuss the results of the independent third-party audit of the local assessment fees submitted to the Commission. Also related to transportation network companies, staff performed the annual records review for Rasier, LLC (Uber) during the month. The audit hasn't been closed due to pending information that Uber is working to provide to staff.

#### ELECTRICITY POLICY DIVISION

Mrs. Patricia Smith reported on Alabama Power Company's Weighted Return on Average Retail Common Equity Calculation for the 12 Months Ended December 31, 2025.

Mrs. Smith reported on Formal Dockets 18117 and 18416; 18148 Division Report on Rate RSE and Rate ECR as of May 31, 2025. The Electricity Policy Division performed the regular monthly examination of the books and records of Alabama Power Company and found a 6.30% Weighted Return on Average Common Equity and Energy Cost Over/(Under) (\$9,176,857) for May 2025.

#### LEGAL DIVISION

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

Informal Docket C-21244, Petition of Pulaski Company & Sons LLC, of Boaz, Alabama, for approval of cargo self-insurance and recommended granting approval,

Formal Docket 33521, Petition of Williams Transportation/Logistics LLC, of Mobile Alabama, to suspend operations under Motor Carrier Certificate F5471 for a period of one year and recommended granting one year suspension,

Informal Docket C-20975, Petition of Mobile Home Movers of Alabama LLC d/b/a Mobile Home Movers, of Ashford, Alabama, for reinstatement of Motor Carrier Certificate F5101 which was revoked due to Petitioner's failure to acquire current vehicle registration and recommended granting reinstatement, And



Informal Docket 33119, Motor Carrier Certificate F5262 held by Proven Transport LLC, of Greensboro, Alabama, was suspended by Commission Order dated June 12, 2024, for a period of one year. Proven Transport LLC has failed to notify the Commission of its intent to recommence operations or relinquish Motor Carrier Certificate F5262 despite a request by Commission staff to do so and recommended granting cancellation on 30-days' notice.

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 Formal Docket 33588, Show Cause proceeding for AIBEK Inc, of Ashford, Alabama, for failure to respond to audit inquiries for 2025 Unified Carrier Registration and recommended granting Issuance of an order establishing a show cause proceeding for AIBEK Inc.

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

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Judge Chad Mason reported on the following dockets from the Legal Division Agenda:

Formal Docket 33589, Application of Chasing Properties, LLC d/b/a Transition Solutions, of Mobile, Alabama, for a Certificate to transport household goods, recommended granting certificate and approval of tariff,

Formal Docket 33571, Unopposed common carrier application of Trinity Non-Emergency Transportation LLC, of Opelika, Alabama, for a certificate to transport passengers. The Applicant waived its right to a Report and recommended Order at the hearing, and recommended granting approval, And

Formal Docket 33572, Unopposed common carrier application of Good Hands Transport/Transporter LLC, of Birmingham, Alabama, for a certificate to transport passengers. DTB of Alabama, LLC filed an untimely protest, did not respond to a Procedural Ruling, and failed to appear at the hearing, therefore, this application proceeded unopposed. The Applicant waived its right to a Report and Recommended Order at the hearing and recommended granting approval.

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

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Judge Mason reported on the following off the agenda items from the Legal Division Agenda:

Formal Docket 33505, Petition of Cays Carriage LLC of Brookwood, Alabama, for extension of time to make the required filings, and recommended granting additional 90 days to allow applicant to make required filings, And

Formal Docket 33590, Application of D&G Emporium LLC, of Birmingham, Alabama, for a Certificate to transport household goods and recommended granting certificate and approval of tariff.

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

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Judge John Garner reported from the Legal Division Agenda on Formal Docket 33504, Formal complaint filed by Mary-Brooke Odom against Alabama Power Company alleging 1) a violation of the Alabama Deceptive Trade Practices Act (ADTPA), Alabama Code §8-19-1 et seq; 2) price gouging in violation of Alabama's Price Gouging Statute found at Alabama Code §8-31-1 et seq; 3) unjust enrichment; 4) Fraud and 5) violation of universal commercial (UCC) §3-603 for improperly refusing to accept a tendered payment via check. Alabama Power filed a Motion to Dismiss Ms. Odom's formal complaint asserting that Ms. Odom failed to fully and completely demonstrate or otherwise advise Alabama Power and the Commission of potential violation of a law, rule or regulation by the Company as required by Rule 9 (A) (2) of the Commission's Rules of Practice. Alabama Power filed additional information supporting its Motion to Dismiss in response to a Procedural Ruling issued by the Commission. Ms. Odom filed a Response to Alabama Power's submission of additional information and requested an extension of time, and recommended granting Denial of Ms. Odom's request for an extension of time and Dismissal of the formal complaint of Ms. Odom. Alabama Power's Motion to Dismiss addressed each of Ms. Odom's claims and explained in detail why her first three claims are barred by the filed rate doctrine; her fourth claim failed to sufficiently allege a state claim of fraud; and her fifth claim failed to establish a violation of any provision of the Uniform Commercial Code.

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

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Judge Garner recommended approval of all items listed on the administrative agenda.

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

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Commissioner Almond concluded with stating that the next Commission meeting is scheduled for Tuesday, August 5, 2025

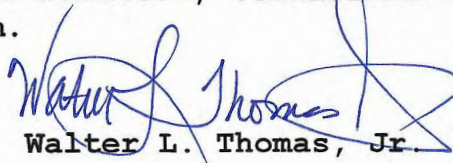
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There being no further business, Commissioner Almond adjourned the meeting at 10:19 a.m.



Walter L. Thomas, Jr.

Secretary