

MINUTES OF A MEETING
OF THE
ALABAMA PUBLIC SERVICE COMMISSION

HELD Tuesday, September 9, 2025

The August 2025 meeting of the Alabama Public Service Commission was held on Tuesday, September 9, 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; Chad Mason, Administrative Law Judge; 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; Jerry Delancey, Administrative Support Assistant; Aquilla Spivey, Consumer Service Manager; Stacie Berry, Tanya Champion and Matthew Singleton, Public Utility Analysts; William Partlow, Staff Accountant; Caleb Hicks, Communication and Public Relations Manager; Aisha Smith, Technical Assistant to Commissioner Oden; Mary Caitlyn Montgomery, Technical Assistant to Commissioner Beeker; Kaitlyn Rayborn, Executive Assistant to Commissioner Beeker; Janey Whitney, Technical Assistant to Commissioner Almond; Hanna Lombardi, Executive Assistant to Commissioner Almond; Kay Oswalt, Information Systems Manager; Chalandra Tolliver, IT Technicians; Dana Cheek, Programmer Analyst; Jackie Mack and Barbara Smith, Administrative Support 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 July 30, 2025.

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

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Commissioner Almond opened the floor for a motion to approve the minutes of the August 5, 2025, Commission Meeting.

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

UTILITY SERVICES DIVISION

Mr. Jeff Johnston reported for the Utility Services Division on Consumer Service Complaint Inquiries for the period of August 2025 as follows: Alabama Power Company had thirty-one residential and two business inquiries, Spire Alabama had three residential inquiries and zero business inquiries, and Spire Gulf had three residential and one business inquiries. There was a total of eleven telecommunication inquiries, consisting of zero under Public Service Commission Complaint jurisdiction, eight were referred back to the companies since the complaint Jurisdiction was waived, and three were not under Public Service Commission Jurisdiction.

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Mr. Johnston reported on Formal Dockets 18046 and 18328, Spire Alabama Inc., Division Report on Rate RSE as of July 31, 2025. Mr. Johnston reported on Rate RSE for Spire Alabama Inc., based on preliminary figures as of July 31, 2025, the projected RSE return on average common equity for the rate year ending September 30, 2025, was 9.97 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 July 31, 2025. Based on preliminary figures as of July 31, 2025, the projected RSE return on average common equity for the rate year ending September 30, 2025, was 9.00 percent. The authorized return on average common equity is 9.70 to 10.30 percent.

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Mr. Johnston reported on Docket U-5489, Spire Alabama Inc. Application for Approval of Fourth Revised Sheet No. 16 Superseding Third Revised Sheet No. 16, Sixth Revised Sheet No. 17 Superseding Fifth Revised Sheet No.17, Sixth Revised Sheet Alabama Inc. No. 20 Superseding Fifth Revised Sheet No.20, Sixth Revised Sheet No. 59 Superseding Fifth Revised Sheet No. 59, Fourth Revised Sheet No. 116 Superseding Third Revised Sheet No. 116 addressing the penalty fees for unauthorized overrun gas used during periods of curtailment of the Tariff Applicable to Gas Service of Spire Alabama Inc. and recommended approval.

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

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Mr. Johnston reported on Docket U-5490, Level 3 Communications, LLC and Ragland Telephone Company for approval of an Interconnection Agreement between Level 3 Communications, LLC and Ragland Telephone Company, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 and recommended approval.

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

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Mr. Johnston reported on Formal Docket 25980, All eligible telecommunications carriers. RE: Implementation of the Universal Service Requirements of Section 254 of the Telecommunications Act of 1996 and 47 C.F.R. § 54.314. All Eligible Telecommunications Carriers (ETCs) for high-cost universal funding seek certification of their eligibility and expenditure for the 2026 USF Connect America Fund and high-cost support. Certifies the eligibility of the petitioning ETCs and notifies the Federal Communications Commission of that certification. Further Order that Certifies All Eligible Telecommunications Carriers (ETCs) eligibility and expenditure plans for the 2025 USF Connect America Fund for high-cost support and recommended approval.

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

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Mr. Johnston noted final item was for information purposes only and requires no action by the Commissioners.

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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 July 2025.

Inspections

During the month of July, a total of sixty-nine (69) inspections were conducted utilizing one hundred and thirty (130) in 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		4								2	
	MUNICIPAL	11	6	6	2	2			3	5	13	
	MASTER METER										2	
	LIQUID PROPANE (LP)											
	LIQUIFIED NATURAL GAS (LNG)	1	1	1								
	INTRASTATE TRANSMISSION	3		2		1				2	1	
	GAS GATHERING										1	
	OFFSHORE GAS											
LIQUID PIPELINE SYSTEMS	REFINED PETROLEUM PRODUCTS											
	CRUDE OIL											
	HVL FLAMMABLE / TOXIC											
	CARBON DIOXIDE											
	BIOFUEL											
TOTALS		15	11	9	2	3			3	7	19	69

Training

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

- 7/2/2025 South Alabama Utilities PE15 Personnel Trained
- 7/30/2025 Jacksonville Utilities PE18 Personnel Trained

Enforcement Actions

From the sixty-nine (69) inspections shown above, eight (8) enforcement letters of notification were issued leading to twenty (20) non-compliance items. There were twenty-eight (28) non-compliance items corrected during the month of July.

Incidents/Accidents

There were (2) state reportable incidents, and zero (0) federal incidents reported during the month of July.

- 7/9/2025 Sylacauga Utilities Board - An electrical contractor accidentally discharged power through a pole anchor into the pipeline, causing an arc burn through the pipe wall. This resulted in the pipeline igniting at the location. The damaged section was promptly repaired, and gas service has since been restored. All individuals involved in the incident are expected to make a full recovery.
- 7/11/2025 Florence Gas - A Ford F-150 struck and ran over a farm tap, breaking it off above the valve. This caused gas to begin venting from the line, prompting the evacuation of nearby homes as a precautionary measure. Gas service was safely isolated and shut off at an underground valve located near the main. No injuries, fires, or fatalities occurred as a result of this incident.

Miscellaneous

The Gas Pipeline Safety (GPS) division is actively participating in Public Damage Prevention Meetings held across Alabama. These events are organized by the Alabama Public Awareness Cooperative Training (APACT) and the Alabama Fire College's Alabama Pipeline Emergency Response Initiative (APERI) program. The meetings are designed to deliver critical training on effective response to pipeline-related incidents and to promote both public safety and damage prevention best practices.

The GPS division has also been selected to represent Public Service Commission and participate in the Study Commission on Utility Relocation Costs as they relate to Alabama Department of

Transportation (ALDOT) projects. This committee was formed to address potential conflicts between the Rebuild Alabama legislation and existing state law governing reimbursement of utility relocation costs. Rebuild Alabama legislation implies that relocation costs may be included within project costs but does not mandate coverage. Current Alabama law allows reimbursement for forced relocation of utilities only under limited circumstances. The Commission's role is to review these issues, identify potential gaps, and provide recommendations to ensure clarity and consistency for future ALDOT projects and impacted utilities.

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 July 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
3	22	79	0	476	140

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

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
16	8	9	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
4	9	157	0	585

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	1	4
Units Inspected	0	6	39
Defects	0	0	0

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

1. A concrete truck strike at a grade crossing, resulting in the derailment of one locomotive and a diesel spill of between 75 to 100 gallons, with no injuries in Malcolm on NS.
2. A trespasser strike with fatal injuries in Theodore on CSX.
3. A bridge collapse resulting in a derailment of three rail cars with no reported injuries in Huntsville on HMCR.

RWS staff learned of a bridge collapse in Huntsville and notified the FRA. The FRA deployed its District Bridge Specialist to investigate. RWS staff worked with the FRA to gather information to assist in the investigation. The bridge collapsed under a train that was performing a shoving movement over the bridge with loaded cars. The conductor was not riding the shove move across the bridge at the time of the incident. The investigation into the root cause of the collapse is still under investigation.

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
10	9	3	4	9	12	46	40	13

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
321	18	10	2	24	50	99

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	1	1,294	51	41	15

As of July 31st, 8,432 Alabama carriers (91%) were registered for the 2025 UCR, with 820 remaining unregistered. Our office received funds from the UCR Depository for June online payments processed through the National Registration System (NRS) from 244 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). Eight MCS-150 forms were processed, containing updates to the motor carriers' USDOT number data.

MCS staff participated in the UCR Dispute Resolution Subcommittee call, the UCR Finance Subcommittee call, the UCR Enforcement Subcommittee call, and the UCR Audit Subcommittee call during the month.

Staff received 24 annual reports for the year ending 2024 during the month.

Eighty-eight For Non-Profit (FNP) quarterly reports for the second quarter of 2025 were sent to FNP carriers by mail and e-mail. Our office received five FNP quarterly reports for the first quarter of 2025 and 23 for the second quarter of 2025 during the month.

In July, an on-site audit was completed on the following passenger carrier:

- Leslie M. Stone dba K3C Transportation (P650) - Carrier has changed to an LLC and must reapply or submit a transfer application to the Commission. The carrier has changed its address, which requires new insurance filings.

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 July 31, 2025. The Electricity Policy Division performed the regular monthly examination of the books and records of Alabama Power Company, and found a 6.52% Weighted Return on Average Retail Common Equity for the 12 months ending December 31, 2025 and Energy Cost Under Recovered by \$23,932,221 for July 2025.

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Mr. John Free reported for the Electricity Policy Division on Formal Docket U-5491. On August 20, 2025, Alabama Power Company filed with the Alabama Public Service Commission its petition seeking authority to: (i) issue and sell preferred stock, preference stock, and promissory notes, subordinated debentures, and other debt instruments; (ii) incur obligations in connection with the issuance of industrial development revenue bonds with an aggregate principal amount or stated value not to exceed \$2,000,000,000 (long-term borrowings); and (iii) borrow upon the issuance of promissory notes, issue and sell commercial paper notes and assume obligations as a guarantor of the promissory notes of Southern Electric Generating Company in an aggregate principal amount not to exceed \$2,000,000,000 (short-term borrowings) at any one time outstanding. If approved, this new authority would remain in effect through December 31, 2027, and supersede any remaining authority previously approved under Docket U-5451 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. John Free reported on Formal Docket U-5492 Southern Electric Generating Company. On August 20, 2025, Southern Electric Generating Company ("SEGCO") filed with the Alabama Public Service Commission its petition seeking authority to borrow upon the issuance of

promissory notes and issue and sell commercial paper notes to third-party lenders and to Alabama Power Company and Georgia Power Company in an aggregate principal amount not to exceed \$175,000,000 (short-term borrowings) at any one time outstanding. If approved, this new authority would remain in effect through December 31, 2027, and supersede any remaining authority previously approved under Docket U-5452 and recommended approval.

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

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LEGAL DIVISION

In Judge Bentley's absence, Judge Mason reported on the following dockets from the Legal Division Agenda:

DOCKET C-21246, Petition of Stallworth Logistics LLC, of Pine Apple, Alabama for reinstatement of Motor Carrier Certificate FS100 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance and recommended granting reinstatement of certificate,

DOCKET C-21298, Petition of Walding Trucking, Inc. of Midland City, Alabama for approval of cargo self-insurance and recommended granting approval,

DOCKET C-21256 - Petition of Ricky Hollingsworth Excavating, Inc., of Eldridge, Alabama for reinstatement of Motor Carrier Certificate F4331 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance and recommended reinstatement of certificate,

DOCKET 19366, Petition of HM Southeast Concrete LLC, of Birmingham, Alabama, for cancellation of Motor Carrier Certificates B-51 and F3352 and recommended cancellation as requested, and

DOCKET 33566, Petition of LCS On The Move, LLC d/b/a LCS On The Move, of Birmingham, Alabama for cancellation of Motor Carrier Certificate 4181 and Permit 664 and recommended cancellation as requested.

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

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In Judge Bentley's absence, Judge Mason reported on DOCKET 33588, Show cause proceeding for AIBEK INC ("AIBEK") of Ashford, Alabama, for failure to respond to audit inquiries for the 2025 Unified Carrier Registration ("UCR") registration year. Commission Order dated July 1, 2025, directed AIBEK to provide documentation and appear at a hearing on August 11, 2025. AIBEK failed to provide the documentation and did not appear at the hearing and recommended an Issuance of an order suspending the UCR registration of AIBEK INC for all active years.

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 DOCKET 33599, Unopposed motor carrier application of James Keith Howell d/b/a J&G Taxi, of Daphne, Alabama, for a certificate to transport passengers and their baggage in special or charter taxi operations. The Applicant waived its right to a Report and Recommended Order at the hearing and Judge Mason recommended granting the application.

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

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Judge Mason presented DOCKET 33608, Show Cause proceeding for motor carriers who failed to file Annual Reports for 2024 operations. (Alabama Public Service Commission v. All Motor Carriers who failed to file Annual Reports for 2024 operations and recommended Issuance of order establishing show cause hearing for all motor carriers who failed to file Annual Reports for 2024 operations.

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

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

DOCKET 33579, Petition of Fiber AssetCo LLC, of Houston, Texas, for a Certificate of Public Convenience and Necessity to provide telecommunications services. A hearing was held on August 11, 2025, in which Commission Staff participated and recommended approval of certificate, and

DOCKET 33419, Petition of CNS Networks LLC, of Boulder, Colorado, for extension of time to submit interconnection/resale agreement. This is the Petitioner's second request for an extension and recommended approval of extension.

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

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From Legal's Off Agenda schedule, Judge John Garner reported on DOCKET 33612, Show cause proceeding for Cherokee Waterworks and Gas Board to address failures to adequately respond to the Gas Pipeline Safety Division's notices of noncompliance with the Pipeline and Hazardous Materials Safety Administration's (PHMSA) Minimum Pipeline Safety Regulations, and recommended issuance of an order establishing a show cause proceeding for Cherokee Waterworks and Gas Board.

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 Oden and seconded by Commissioner Beeker, 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, October 7, 2025

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There being no further business, Commissioner Almond adjourned the meeting at 10:39 a.m.


Walter L. Thomas, Jr.

Secretary