

MINUTES OF A MEETING
OF THE
ALABAMA PUBLIC SERVICE COMMISSION

HELD Tuesday, October 7, 2025

The October 2025 meeting of the Alabama Public Service Commission was held on Tuesday, October 7, 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; John Free, Electricity Policy Division Director; Patricia Smith and Donald Powell, Public Utility Analyst Managers; Aquilla Spivey, Consumer Service Manager; Stacie Berry, 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; 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 September 3, 2025.

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Commissioner Oden opened the meeting with a prayer and Commissioner Almond 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 September 9, 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 September 2025 as follows: Alabama Power Company had seventeen residential and zero business inquiries, Spire Alabama had three residential inquiries and zero business inquiries, and Spire Gulf had zero residential and zero business inquiries. There was a total of six telecommunication inquiries, consisting of one under Public Service Commission Complaint jurisdiction, three were referred back to the companies since the complaint jurisdiction was waived, and two 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 August 31, 2025. Mr. Johnston reported on Rate RSE for Spire Alabama Inc., based on preliminary figures as of August 31, 2025, the projected RSE return on average common equity for the rate year ending September 30, 2025, was 9.98 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 August 31, 2025. Based on preliminary figures as of August 31, 2025, the projected RSE return on average common equity for the rate year ending September 30, 2025, was 8.90 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 18046 and 18328, Spire Alabama Inc. Application for Approval to suspend the operation of the Accelerated Infrastructure Modernization (AIM) Program for Rate Year 2026 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 reported on Docket U-5493, Spire Alabama Inc. Application for Approval of a Special Services Agreement between Spire Alabama Inc and Sabic Innovative Plastics US 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 reported on Docket 31181 Alabama Wastewater Systems, Inc. Petition for the 2025 renewal of Alabama Wastewater Systems, Inc.'s Certificate of Financial Viability 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 final items were for information purposes only and require no action by the Commissioners.

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GAS PIPELINE SAFETY DIVISION

In Jonathan Kimbril's absence, Judge John Gardner, Chief Administrative Law Judge and Executive Director reported for the Gas Pipeline Safety (GPS) Division Agenda on the following inspections during the month of August 2025.

Inspections

During the month of August, a total of fifty-six (56) inspections were conducted utilizing one hundred and four (104) 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	
GAS PIPELINE SYSTEMS	PRIVATE		9									TOTAL
	MUNICIPAL	7	8	7					7		6	
	MASTER METER											
	LIQUID PROPANE (LP)											
	LIQUIFIED NATURAL GAS (LNG)	1										
	INTRASTATE TRANSMISSION	3		3						3	2	
	GAS GATHERING											
	OFFSHORE GAS											
LIQUID PIPELINE SYSTEMS	REFINED PETROLEUM PRODUCTS											
	CRUDE OIL											
	HVL FLAMMABLE / TOXIC											
	CARBON DIOXIDE											
	BIOFUEL											
TOTALS		11	17	10					10		8	56

Enforcement Actions

From the fifty-six (56) inspections shown above, six (6) enforcement letters of notification were issued leading to seventeen (17) non-compliance items. There were seven (7) non-compliance items corrected during the month of August.

Training

Three (3) operator/contractor training sessions on Polyethylene (PE) plastic fusion and one (1) fire response (FR) training were conducted in August:

- 8/06/2025 Dadeville Gas Board PE 13 Personnel Trained
- 8/20/2025 Riviera Utilities PE 27 Personnel Trained
- 8/26/2025 Leak City Fall Training PE/FR 38 Personnel Trained

Incidents/Accidents

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

- 8/8/2025 Florence Gas - A fiber Contractor cut a 2" PE main with a boring machine. Tracing wire was not connected in several spots and made the main hard to locate. Contractor had a valid locate ticket.
- 8/20/2025 Spire Gulf - A fiber contractor struck a 2" PE Main while excavating. Contractor had a ticket, but it was not for the location and that the ticket itself was expired.

Miscellaneous

The Gas Pipeline Safety (GPS) Division's Southern Section and Training Coordinator attended the Louisiana Gas Association's 2025 Pipeline Safety Conference. The State of Alabama co-sponsors this conference to support training for liquid pipeline operators, as Alabama has only seven liquid assets, and all seven operators maintain operations in Louisiana. Co-sponsorship provides documented evidence that Alabama's pipeline safety program ensures operators are afforded opportunities for training in pipeline safety and operational best practices.

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 August 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
6	23	69	0	549	223

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
13	13	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
5	10	126	0	774

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	3	4	0	5

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	0	2
Units Inspected	0	0	27
Defects	0	0	0

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

1. A vehicle strike at a grade crossing resulted in one fatality and one non-fatal injury in Clanton on CSX.
2. An industry derailment with no injuries in Bridgeport on SQSC.
3. A yard derailment with a diesel fuel release from the locomotive and no injuries in Talladega on CSX.

Operating Practices inspection staff participated in training in Memphis, TN, with FRA OP inspectors, the FRA OP District Specialist, and the FRA Deputy Staff Director. The OP inspector also participated in online training for his FRA OP Fundamentals I course and is progressing well through his training.

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
27	11	3	0	8	11	55	51	11

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
325	26	14	3	16	60	119

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
4	0	80	33	29	14

As of August 31st, 8,620 Alabama carriers (92%) were registered for the 2025 UCR, with 700 remaining unregistered. Our office received funds from the UCR Depository for July online payments processed through the National Registration System (NRS) from 286 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). Six MCS-150 forms were processed. Two motor carriers had their USDOT number deactivated, and four forms contained updates to the motor carriers' USDOT number data.

MCS staff participated in the UCR Board meeting call during the month.

Staff received 8 annual reports for the year ending 2024 during the month. Six motor carriers failed to submit their 2024 annual report and were sent to the Legal Division to set up a show-cause hearing.

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

In August, one passenger tariff for Inspirational NEMT Services Transportation Inc. (C4180) was rejected. Additionally, two passenger tariffs for Trinity Non-Emergency Transportation LLC (C4183) and Inspirational NEMT Services Transportation Inc.

(C4180) were received and approved.

Staff participated in one passenger carrier hearing held during August for:

- James Keith Howell dba J & G Taxi

ELECTRICITY POLICY DIVISION

Mrs. Smith reported on Formal Dockets 18117 and 18416; 18148 Division Report on Rate RSE and Rate ECR as of August 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 Over Recovered by \$6,807,967 for August 2025.

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Mr. John Free reported for the Electricity Policy Division on Formal Docket U-5494. On September 19, 2025, Alabama Power Company filed with the Alabama Public Service Commission a petition seeking regulatory accounting authorization related to production tax credits ("PTCs") under Section 45U of the Internal Revenue Code associated with energy output from Farley Units 1 and 2. This authorization would enable the Company to establish on its balance sheet a regulatory liability in which to record any such nuclear PTCs that can later be applied for the benefit of customers, as determined by the Commission. The Company is also requesting authorization to establish a regulatory asset to record any subsequent reductions of nuclear PTCs that have already been applied for the customer's benefit 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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LEGAL DIVISION

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

DOCKET C-21041, Petition of Pick Up My Things, LLC, of Dothan, Alabama for reinstatement of Motor Carrier Certificate F5445 which was revoked due to Petitioner's failure to maintain proper proof of cargo and liability insurance coverage. Petitioner submitted documentation that showed their liability and cargo insurance

coverage rescinded by law is now in effect and recommended to grant reinstatement,

DOCKET C-21255, Petition of Justin H. Smith d/b/a J. H. Smith Trucking, of Altoona, Alabama for reinstatement of Motor Carrier Certificate F1979 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage. Petitioner submitted documentation that showed their liability insurance coverage rescinded by law is now in effect and recommended to grant reinstatement,

DOCKET 30575, Petition of Johnny C. Kay d/b/a Kay Contracting, of Lacey's Spring, Alabama, for cancellation of Motor Carrier Certificate F3863 and recommended grant cancellation, and

DOCKET 33526, Motor Carrier Permit 662 was issued to Baldwin County Non-Emergency Medical Transport LLC, of Daphne, Alabama, by Commission Order dated February 4, 2025. Said Order also required Baldwin County Non-Emergency Medical Transport LLC to file its schedule of rates. Baldwin County Non-Emergency Medical Transport LLC has failed to make the required filing and recommended cancellation on 30 days' notice.

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

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Judge Luke Bentley reported on DOCKET 33597, Show cause proceeding for Castleberry Property Management Group Inc. (Coosa Bend Apartments) to address failures to adequately respond to the Gas Pipeline Safety Divisions' (GPS) notice of noncompliance with the Pipeline Hazardous Materials and Safety Administration's (PHMSA) Minimum Pipeline Safety Regulations. The areas of noticed noncompliance included:

1. No documentation of leak surveys
2. Failure to conduct cathodic protection within the prescribed timeframe
3. Failure to provide documentation from its gas source that the gas had the proper concentration of odorant, and did not conduct sniff tests within the prescribed timeframe; and
4. No documentation of the atmospheric corrosion control

Pursuant to GPS Rule 14, a fine of \$4,000 was issued to Coosa Bend Apartments for failure to adequately respond to these notice violations. A show cause hearing was held on August 26, 2025. Representatives for the Respondent addressed all areas of noncompliance and provided supporting documentation. Coosa Bend

provided additional supporting documents following the hearing. All noncompliance items have been addressed and corrected. Recommended reduction of the fine to \$1,000 and dismissal from the proceeding upon the payment of this fine.

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

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Judge Bentley reported on DOCKET 31182, Application of Bio-Flow, Inc. for renewal and modification of its certificate of financial viability. The proposed modification involves a request for approval to divest certain assets and customer service responsibilities. A hearing was held on September 23, 2025, in which the applicant, the Office of the Attorney General, and Commission Staff participated. At the hearing, representatives for Bio-Flow presented evidence showing that the proposed divestiture would not place upward pressure on customer rates and that the Applicant would remain financially viable. Recommended: Approval of application for renewal and modification of certificate of financial viability.

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: DOCKET 33610, Uopposed common carrier application of Reliable Rides Caring Service, LLC, of Marion, Alabama, for a certificate to transport passengers. Hearing was held on September 23, 2025, in which staff participated. The Applicant waived its right to a Report and Recommended Order at the hearing and recommended granting a certificate, and

DOCKET 33572, Petition of Good Hands Transport/Transporter LLC, of Birmingham, Alabama, for an extension of time to make the required filings and recommended granting additional 90 days to allow applicant to make the required filings.

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 on DOCKET 25980, Application of MTC Long Distance Inc. for designation as an Eligible Telecommunications Carrier ("ETC") in the areas of Alabama served

by BellSouth Telecommunications, LLC d/b/a AT&T Alabama or AT&T Southeast (formally BellSouth Telecommunications Inc.) and Brightspeed of Alabama, LLC (formally CenturyLink/CenturyTel). The Applicant has demonstrated it meets all the applicable criteria to be designated as an ETC in the areas of Alabama for which that designation is sought and recommended approval.

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

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

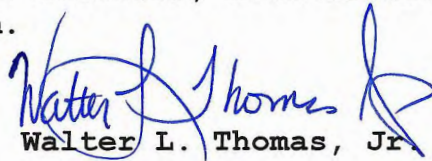
Upon motion by Commissioner Oden and seconded by Commissioner Beeker, the Commissioners voted unanimously to accept the recommendation.

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

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There being no further business, Commissioner Almond adjourned the meeting at 10:37 a.m.


Walter L. Thomas, Jr.

Secretary