

MINUTES OF A MEETING
OF THE
ALABAMA PUBLIC SERVICE COMMISSION

HELD Tuesday, September 1, 2026

The September 2026 meeting of the Alabama Public Service Commission was held on Tuesday, September 1, 2026, 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: Luke Bentley, Chief Administrative Law Judge and Executive Director; Chad Mason, Administrative Law Judge; Samantha Sizemore, Attorney; Amanda Shehane, Utility Enforcement Division Director; Jonathan Kimbril, PSC Gas Pipeline Safety Division Director; Patricia Smith, Electricity Policy Division Director; Jeffery Johnston, Utility Services Division Director; Donald Powell, Public Utility Analyst Manager; Aquilla Spivey, Consumer Service Manager; William Partlow, Staff Accountant; Tanya Champion, Matthew Singleton, LeAndre Wynn, and Ladavious Mitchell, Tashenma Lawrence, Public Utility Analysts; 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; Chalandra Betts, IT Technician; Dana Cheek, IT Programmer; Robin Bonney, Jerry Delancey, Jackie Mack and Barbara Smith, Administrative Support Assistants; Devon D. Beaty, Secretary of the Commission.

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Commissioner Almond noted that the public was informed of today's Commission meeting by notice dated November 12, 2025.

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Commissioner Almond opened the meeting with prayer led by Commissioner Beeker followed by leading the audience in the Pledge of Allegiance.

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Commissioner Almond opened the floor for a motion to approve the minutes of August 4, 2026, 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 2026 as follows: Alabama Power Company had fifteen residential and four business inquiries, Spire Alabama had four residential and zero business inquiries, and Spire Gulf had one residential and zero business inquiries. There was a total of eleven telecommunication inquiries, consisting of two under Public Service Commission Complaint jurisdiction, seven were referred to the companies since the complaint jurisdiction was waived, and two were not under Public Service Commission jurisdiction.

Mr. Johnston reported on the following dockets:

Formal Dockets 18046 and 18328, Spire Alabama Inc., Division Report on Rate RSE as of July 31, 2026. Mr. Johnston reported on Rate RSE for Spire Alabama Inc., based on preliminary figures as of July 31, 2026, the projected RSE return on average common equity for the rate year ending September 30, 2026, was 9.65 percent. The authorized return on average common equity is 9.50 to 9.90 percent.

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Formal Docket 28101, Spire Gulf Inc., Division Report on Rate RSE as of July 31, 2026. Based on preliminary figures as of July 31, 2026, the projected RSE return on average common equity for the rate year ending September 30, 2026, was 9.67 percent which was below the authorized range and results in no adjustment to rates. The authorized return on average common equity is 9.70 to 10.30 percent.

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Docket U-4548, BELLSOUTH TELECOMMUNICATIONS LLC D/B/A AT&T ALABAMA AND TEC OF JACKSON INC -- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, LLC d/b/a AT&T Alabama or AT&T Southeast and TEC of Jackson, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 and recommended approval,

Docket U-4701, BELLSOUTH TELECOMMUNICATIONS LLC D/B/A AT&T ALABAMA AND COMCAST PHONE OF ALABAMA LLC -- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, LLC d/b/a AT&T Alabama or AT&T Southeast and Comcast Phone of Alabama, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 and recommended approval,

Docket U-4932, BELLSOUTH TELECOMMUNICATIONS LLC D/B/A AT&T ALABAMA AND FARMERS TELECOMMUNICATIONS CORPORATION -- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, LLC d/b/a AT&T Alabama or AT&T Southeast and

Farmers Telecommunications Corporation pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 and recommended approval,

Docket U-5078, BELLSOUTH TELECOMMUNICATIONS LLC D/B/A AT&T ALABAMA AND NEW HORIZONS COMMUNICATIONS CORP -- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, LLC d/b/a AT&T Alabama or AT&T Southeast and New Horizons Communications Corp. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 and recommended approval,

Docket U-5144, BELLSOUTH TELECOMMUNICATIONS LLC D/B/A AT&T ALABAMA AND AIRUS INC. -- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, LLC d/b/a AT&T Alabama or AT&T Southeast and Airus, Inc. 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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Docket 25980, 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 2027 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 2026 USF Connect America Fund for high-cost support 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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Dockets 30679; 31292, BROADVIEW NETWORKS, LLC -- Approval to change company name from Broadview Networks, In. to Broadview Networks, LLC. Filed July 27, with a requested immediate effective date and recommended approval.

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

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 2026.

Inspections

During the month of July, a total of ninety-eight (98) inspections were conducted utilizing one hundred and eighty-six (186) in person-days. The inspections are as follows:

		STANDARD INSPECTION	CONSTRUCTION	OPERATOR QUALIFICATION	PUBLIC AWARENESS	IMP / DIMP	CONTROL ROOM MGMT	INCIDENT / ACCIDENT	DRUG & ALCHOL	FOLLOW-UP	OTHER	
GAS PIPELINE SYSTEMS	PRIVATE	1	4							2		TOTAL
	MUNICIPAL	16	22	2	2	6			8	17		
	MASTER METER									6		
	LIQUID PROPANE (LP)											
	LIQUIFIED NATURAL GAS (LNG)											
	INTRASTATE TRANSMISSION	4							2	1		
	GAS GATHERING									3		
	OFFSHORE GAS											
LIQUID PIPELINE SYSTEMS	REFINED PETROLEUM PRODUCTS									2		
	CRUDE OIL											
	HVL FLAMMABLE / TOXIC											
	CARBON DIOXIDE											
	BIOFUEL											
TOTALS		21	26	2	2	6	0	0	10	31	0	98

Enforcement Actions

From the ninety-eight (98) inspections shown above, ten (10) enforcement letters were issued citing a total of twenty-eight

(28) non-compliance items. Of the twenty-eight (28) non-compliance items cited, nineteen (19) were issued for the first time, while nine (9) were repeat violations that had been cited consecutively. During the month of July, twenty-two (22) non-compliance items were corrected and verified by Gas Pipeline Safety.

Training

During the month of July, the Gas Pipeline Safety Division conducted two operator and contractor training sessions.

Training sessions may address a single topic or combine multiple topics based on the specific needs of the operator or contractor. Topics may include polyethylene plastic fusion, fire response, and applicable regulatory requirements contained in the Code of Federal Regulations. These training efforts are designed to enhance public safety, improve regulatory compliance, and promote industry's best practices.

- 7/8/2026 South Alabama Utilities PE 19 Personnel Trained
- 7/21/2026 Leak City Athens Alabama PE 28 Personnel Trained

Incidents/Accidents

During the month of July, the Gas Pipeline Safety Division received notification of four potential incidents. Following completion of the investigations, two incidents were determined to meet the criteria for State reporting. No incidents met the criteria for Federal reporting under the Commission's jurisdiction. The remaining two incidents were determined to be either outside the Division's jurisdiction or below the applicable reporting thresholds and, therefore, were not reportable to either the State or the Pipeline and Hazardous Materials Safety Administration.

- 7/14/2026 Riviera Utilities - Riviera Utilities reported an incident at a local school involving an employee who was attempting to light a natural gas appliance. During the process, flame rollout occurred at the burners and caused a burn injury to the school employee. Riviera Utilities conducted a leak survey and determined that no additional natural gas was present. Based on those findings, the incident did not meet the criteria for either State or Federal reporting.

- 7/16/2026 Spire Alabama - Montgomery - Spire Alabama discovered a leak on an unmapped service line serving a church. The leak was located beneath Highway 14, requiring the roadway to be closed while the operator addressed the condition. The cause of the leak could not be determined. Rather than excavating and repairing the existing portion beneath the highway, Spire abandoned the affected section and installed a new service line by directional boring beneath Highway 14. This incident met the applicable criteria for State reporting.
- 7/21/2026 - Spire Alabama - Montgomery - Spire Alabama received notification that a four-inch plastic gas main had been struck and was releasing natural gas near 2205 Madison Avenue. The roadway was closed to allow the area to be secured and repairs to begin. An active Alabama 811 locate request was in place at the time of the damage; however, the gas main had not been exposed by potholing prior to excavation as required for the work being performed. This incident met the applicable criteria for State reporting.
- 7/28/2026 Florence Gas - The Florence Gas Department was contacted by an insurance adjuster who believed natural gas may have contributed to a residential fire that had previously occurred. Florence Gas investigated the incident in conjunction with the State Fire Marshal's Office. The investigation determined that the natural gas source involved in the fire was located on the homeowner's side of the system and was not part of the operator's jurisdictional facilities. Based on those findings, the incident did not meet the criteria for either State or Federal reporting.

Miscellaneous

The Gas Pipeline Safety Division attended multiple meetings across Alabama related to public awareness and emergency response. These outreach activities support two separate regulatory requirements applicable to pipeline operators.

Pipeline operators in Alabama have several options for meeting these outreach requirements. One method is participation in Alabama Pipeline Awareness Cooperative Training (APACT) meetings, which provide a cooperative approach that allows participating operators to share the cost of conducting public awareness and emergency response meetings. These meetings also

provide Alabama 811 an opportunity to explain when the one-call system is required to be used, who is responsible for using it, and the importance of damage prevention.

GPS also participates with the Alabama Fire College through the Alabama Pipeline Emergency Response Initiative (APERI). This partnership provides training to emergency officials and first responders on appropriate actions during a pipeline emergency or incident. APERI is currently in its third year and has continued to expand its outreach beyond firefighters to include contractors and 911 emergency communication centers.

GPS staff also attend operator-specific meetings or independently conducted outreach events when invited. These efforts allow the Division to support operators in meeting regulatory requirements while also strengthening communication, emergency preparedness, damage prevention, and public safety throughout Alabama.

UTILITY ENFORCEMENT DIVISION

Mrs. Amanda Shehane reported from the Transportation Division report describing the major tasks, inspections and activities accomplished by its staff during the month of July 2026.

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
9	30	69	0	231	183

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

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
18	18	16	1

The data in the table below were 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
2	5	65	1	159

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
6	9	7	5	23

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
0	1	0

The National Response Center (NRC) reported two incidents in July.

1. A trespasser strike with fatal injuries in Hayden on CSX.
2. A 20-pound sulfur release in Montgomery on CSX.

There were five complaints/incidents reported via telephone or email in July.

1. A trespasser strike with fatal injuries in Montgomery on CSX.
2. A complaint concerning highway signage at a crossing in Birmingham on CSX.
3. A contractor employee injury due to a fall in Birmingham on CSX.
4. A crossing vehicle strike with unknown injuries in Dothan on CSX.
5. A rough crossing complaint in Hope Hull on CSX.

RWS OP inspector participated in an FRA OP conference in Chicago where upcoming regulatory changes and enforcement practices were discussed.

RWS MP&E inspector participated in FRA fundamentals classes in Fairhope and continues to make progress in his OJT training for FRA certification.

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 Nos.	Intrastate Applications		NOL Processed/ Closed Intra Applications	Under Legal Division Review	New Authority Approved	Motor Carrier Authority Inquiries		
	Processed	Returned				Pho ne	E- mails	Other s
27	13	0	0	14	11	92	117	15

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
364	26	19	2	26	72	124

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

UCR Applications		UCR Mailouts for 2026	UCR Audit Correspondence	UCR Inquiries	
Received	Returned			Phone	E-mail
0	1	31	16	31	21

As of July 31st, 8,408 Alabama carriers (90%) were registered for the 2026 UCR, leaving 902 unregistered. Our office received funds from the UCR Depository for June online payments processed through the National Registration System (NRS) from 174 carriers domiciled in Alabama and non-participating states.

Staff participated in the UCR Board call and UCR Finance Subcommittee call during the month.

At the beginning of July, 97 For Non-Profit (FNP) quarterly reports for the second quarter of 2026 were mailed and emailed. Our office received 21 FNP quarterly reports for the second quarter of 2026 during the month.

There were 30 certified letters mailed to passengers and household goods carriers that were delinquent in sending their 2025 annual reports. A total of seventeen 2025 annual reports were received from household goods and passenger carriers.

In July, two tariffs were rejected for formatting and rate issues: a passenger schedule of rates for K3C Transportation LLC (P650) and a household goods tariff for 1st Choice Trucking LLC (pending). Three tariffs were received and accepted: a household goods tariff for 1st Choice Trucking LLC (pending), a passenger schedule of rates for K3C Transportation LLC (P650), and a household goods supplement tariff for Office Movers, Inc. dba Movedaddy.com (C4029).

During July, staff started the annual records review audit for Lyft, Inc.

ELECTRICITY POLICY DIVISION

Mrs. Patricia Smith reported on Formal Dockets 18117 and 18416; 18148 Division Report on Rate RSE and Rate ECR as of July 31, 2026. The Electricity Policy Division performed the regular monthly examination of the books and records of Alabama Power

Company and found a 6.40% Weighted Return on Average Retail Common Equity for the 12 months ending December 31, 2026, and Energy Cost under recovered by \$31,318,219 for July 2026.

LEGAL DIVISION

Attorney Samantha Sizemore reported on the following docket from the Legal Division Agenda:

DOCKET 33046, Case 2026-1

In Re: Amendment to Rules of Practice. Pursuant to Rule 4, the Commission currently accepts electronically filed documents but does not deem those documents perfected without the receipt of a hard copy. Additionally, Rule 4 requires that an original and ten (10) copies of all filings be filed with the Secretary.

Recommended: Establishment of a rulemaking proceeding to consider an amendment to the Commission's Rules of Practice to simplify the filing requirements for filings under Rule 4.

Specifically, it is recommended to eliminate the requirement for a physical copy to accompany electronic filings, and for physical filings to have ten (10) additional copies. Throughout Rule 4 there are various other rules which reference acceptable forms of submitting documents and their respective time requirements. It is recommended that these rules be amended to reflect the changes mentioned above.

The Commission will publish the proposed amendment to the rules and consider any comments on the proposed amendment if received on or before the close of business on September 16, 2026. Reply comments will be considered by the Commission if received on or before the close of business on September 23, 2026. All comments will also be posted on the website.

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

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

DOCKET 33724, Unopposed common carrier application of COLD Community Non-Emergency Medical Transportation, LLC, of Phenix City, Alabama, for a certificate to transport passengers. Hearing was held on August 25, 2026, in which staff participated. The Applicant waived its right to a Report and Recommended Order at the hearing and recommended approval,

DOCKET 33725, Unopposed common carrier application of Community Care Transit LLC, of Montgomery, Alabama, for a certificate to transport passengers. Hearing was held on August 25, 2026, in which staff participated. The Applicant waived its right to a Report and Recommended Order at the hearing and recommended approval,

DOCKET 33726, Unopposed common carrier application of Pearls of Wisdom Medical Transport Services LLC, of Prattville, Alabama, for a certificate to transport passengers. Hearing was held on August 25, 2026, in which staff participated. The Applicant waived its right to a Report and Recommended Order at the hearing and recommended approval,

DOCKET 33728, Unopposed common carrier application of Granbury Executive Transport, LLC d/b/a Granbury Executive Transport, of

Orange Beach, Alabama, for a certificate to transport passengers. Hearing was held on August 25, 2026, in which staff participated. The Applicant waived its right to a Report and Recommended Order at the hearing and recommended approval,

DOCKET C-21590, Petition of Oscar Blanco d/b/a Blanco Enterprises, of Dixon Mills, Alabama, for approval of cargo self-insurance and recommended approval,

DOCKET C-21515, Petition of Sunset Trolley LLC, of Foley, Alabama, for reinstatement of Motor Carrier Certificate CB149 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 required by law is now in effect and recommended granting reinstatement,

DOCKET C-21579, Petition of Hill-Trace, LLC, of Coker, Alabama, for reinstatement of Motor Carrier Certificate F4313 which was revoked due to Petitioner's failure to maintain proper proof of cargo and liability insurance coverage. Petitioner submitted documentation that showed their cargo and liability insurance coverage required by law is now in effect and recommended granting reinstatement,

DOCKET 33693, Petition of Hands on Transport, LLC, of Montgomery, Alabama, for an extension of time to make the required filings and recommended granting additional 90 days to allow applicant to make the make the required filings,

DOCKET 33680, Petition of Reach Auto Shop Mid-South Apparel & Bargain Barn Inc., of Eutaw, 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,

DOCKET 33619, Motor Carrier Certificate 4191 was issued to Navicare LLC, of Loganville, Georgia, by Commission Order dated November 4, 2025. Said Order also required Navicare LLC to file evidence of its tariff and liability insurance and obtain registration numbers and properly identify its vehicles. Navicare LLC has failed to make the required filing and recommended cancellation on 30 days' notice.

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

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DOCKET 33733, Show Cause proceeding for motor carriers who failed to file annual reports for 2025 operations. (Alabama Public Service Commission v. All Motor Carriers who failed to file Annual Reports for 2025 operations). Recommended: Issuance of order establishing show cause hearing for all motor carriers who failed to file Annual Reports for 2025 operations.

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

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DOCKET 31182, Petition by Bio-Flow, Inc., to Increase Residential and Unoccupied Lot rates. On or about March 30, 2026, Bio-Flow filed a Notice of Intent to Implement New Rates and Revised Tariff with an effective date of May 1, 2026, submitting the following:

1. Residential service rates will increase from \$50.73 per month to \$68.00 per month;
2. A separate reserve rate rider of \$5.00 per month to be collected for all classes of service unless and until the reserve account balance exceeds \$200,000.00. Collection of the rider will be suspended when the reserve account exceeds \$200,000.00 and resume whenever the balance is less than \$200,000.00;
3. Unoccupied residential lot rates, for the first two years, shall increase from \$20.00 per month to \$40.00 per month;
4. The tap fee shall increase from \$300.00 to \$500.00;
5. Disposable and flushable wipes are being added to the Prohibited items list in the service rules and regulations; and
6. The service rules and regulations are being amended to allow Bio-Flow, to the extent allowed by Alabama law, to collect reasonable attorney fees in the event it must commence litigation to collect delinquent amounts owed by a customer and prevails in that litigation.

By Commission Order dated April 7, 2026, Bio-Flow's petition was suspended until October 28, 2026, to allow the Commission time to investigate its request. On or about April 22, 2026, the Office of the Attorney General filed a motion to intervene. On July 21, 2026, a hearing was held, in which the Petitioner, the Office of the Attorney General and Commission staff participated. At the hearing Bio-Flow, through testimony and exhibits, entered evidence in support of its petition. Bio-Flow

corrected its requested rate increase down from \$68.00 per month to \$66.22 per month. Bio-Flow also provided testimony regarding the reserve rate rider. Bio-Flow testified the reserve rate rider would comply with the Commission's Wastewater Management Entity Rule 8(7) and that Bio-Flow's current reserve has roughly \$130,000.00 that would be transferred to the reserve account to be restricted by the beforementioned rule. The Office of the Attorney General cross-examined Bio Flow's witnesses and objected to any rate increase, but requested if a rate increase was found to be supported by the evidence that the increase be done incrementally. On or about July 29, 2026, the Office of the Attorney General filed a Motion for Consideration. In its motion the Office of the Attorney General reemphasized its position that if an increase is warranted it should be done incrementally over a 12-month period.

Recommended:

1. Approve the residential service rate increase from \$50.73 per month to \$66.22 per month;
2. Approve a separate reserve rate rider of \$5.00 per month to be collected for all classes of service unless and until the reserve account balance exceeds \$200,000.00. Collection of the rider will be suspended when the reserve account exceeds \$200,000.00 and resume whenever the balance is less than \$200,000.00;
3. Approve the unoccupied residential lot rate, for the first two years, increase from \$20.00 per month to \$40.00 per month;
4. Deny the tap fee increase from \$300.00 to \$500.00;
5. Approve disposable and flushable wipes being added to the prohibited items list in the service rules and regulations; and
6. Approve the service rules and regulations being amended to allow Bio-Flow, to the extent allowed by Alabama law, to collect reasonable attorney fees in the event it must commence litigation to collect delinquent amounts owed by a customer and prevails in that litigation.

Additionally, deny the Office of the Attorney General's request to incrementally implement any rate increase.

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

DOCKET 33712 Case 2026-1

Application a Certificate of Public Convenience and Necessity to provide telecommunications services in the State of Alabama for Vero Fiber ABS, LLC. Hearing was held on August 25, 2026, in which staff participated 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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DOCKET 33669 (M) - Petition of Farrow Dirt & Demo LLC, of Flat Rock, Alabama, for cancellation of Motor Carrier Certificate F5545 and recommended granting cancellation as requested.

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

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Chief Administrative Law Judge and Executive Director; Luke Bentley reported on the following dockets from the Legal Division Agenda:

DOCKET 18046 and 18328, Case 2026-1

By Order issued on June 8, 2026, the Commission initiated an investigation of the terms of Rate Stabilization and Equalization ("RSE") for Spire Alabama, Inc. ("Spire Alabama"), pursuant to Ala. Code § 37-1-83. The scope of this investigation was limited to the following issues: 1) Return on Equity ("ROE"); 2) ROE Range; 3) Term of RSE; 4) Cost Control Measurement ("CCM"); and 5) Customer Charge.

The Office of the Attorney General of Alabama ("Attorney General") and Energy Alabama intervened in this matter. A publicly noticed hearing was held on August 6, 2026, in which all parties and Commission Staff participated. Spire Alabama presented evidence through three witnesses, including two expert witnesses. The Attorney General and Energy Alabama each presented evidence through their own expert witnesses. As presented through testimony and confirmed in a closing statement, the parties' positions on the five issues are as follows:

Spire Alabama: 10.5% ROE Adjusting Point; ROE Range of 10.3% to 11.0%; RSE Term of 5 Years; Maintain CCM; and \$5 per Month Increase in Customer Charge

Attorney General: 9.2% ROE Adjusting Point; ROE Range of 9.0% to 9.4%; RSE Term of 2 Years; Suspension of CCM; and No Increase in Customer Charge

Energy Alabama: 8.3% ROE Adjusting Point; ROE Range of 8.3% to 8.7%; No Position on RSE Term; No Position on CCM; and No Increase in Customer Charge

Based on a review of the evidence: 1) the Attorney General's ROE recommendation is the most reasonable and more accurately reflects Spire Alabama's cost of equity; 2) there was not sufficient evidence to support a change in the current 40 basis point ROE range; 3) the Attorney General's term recommendation is most reasonable given current economic and operational circumstances; 4) costs are regularly reviewed by Staff and the Attorney General requested suspension of CCM; and 5) the customer charge increase is revenue neutral and currently only recovers a small portion of fixed costs.

Recommended:

ROE Adjustment Point: 9.4%

ROE Range: 9.2% to 9.6%

RSE Term: 2 years

CCM: None

Customer Charge: Increase by \$2.50 on October 1, 2026; increase by an additional \$2.50 on October 1, 2027

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

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DOCKET 28101, Case 2026-1

By Order issued on June 8, 2026, the Commission initiated an investigation of the terms of Rate Stabilization and Equalization ("RSE") for Spire Gulf Inc. ("Spire Gulf"), pursuant to Ala. Code § 37-1-83. The scope of this investigation was limited to the following issues: 1) Return on Equity ("ROE"); 2) ROE Range; 3) Term of RSE; 4) Cost Control Measurement ("CCM"); and 5) Customer Charge.

The Office of the Attorney General of Alabama ("Attorney General") and Energy Alabama intervened in this matter. A publicly noticed hearing was held on August 7, 2026, in which all parties and Commission Staff participated. Spire Gulf presented evidence through three witnesses, including two expert witnesses. The Attorney General and Energy Alabama each presented evidence through their own expert witnesses. As presented through testimony and confirmed in a closing

statement, the parties' positions on the five issues are as follows:

Spire Gulf: 10.75% ROE Adjusting Point; ROE Range of 10.55% to 11.25%; RSE Term of 5 Years; Align CCM with Spire Alabama; and \$5 per Month Increase in Customer Charge

Attorney General: 9.2% ROE Adjusting Point; ROE Range of 9.0% to 9.4%; RSE Term of 3 Years; Suspension of CCM; and No Increase in Customer Charge.

Energy Alabama: 8.3% ROE Adjusting Point; ROE Range of 8.3% to 8.7%; 3 Year Maximum on RSE Term; No Position on CCM; and No Increase in Customer Charge

Based on a review of the evidence: 1) the Attorney General's ROE recommendation is the most reasonable and more accurately reflect Spire Gulf's cost of equity; 2) there was not sufficient evidence to support a change to a 70 basis point ROE range; 3) the Attorney General's term recommendation is more reasonable given current economic and operating circumstances; 4) costs are regularly reviewed by Staff and the Attorney General requested suspension of CCM; and 5) the customer charge increase is revenue neutral and currently only recovers a small portion of fixed costs. Further, Spire Gulf has additional risks due to its size and large portion of industrial customers.

Recommended:

ROE Adjustment Point: 9.6%

ROE Range: 9.3% to 9.9%

RSE Term: 3 years

CCM: None

Customer Charge: Increase by \$2.50 on October 1, 2026; increase by an additional \$2.50 on October 1, 2027

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

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Chief Administrative Law Judge and Executive Director; Luke Bentley recommended approval of all items listed on the administrative agenda.

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

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There being no further business, Commissioner Almond adjourned the meeting at 10:46 a.m.



Devon D. Beaty
Commission Secretary