



## STATE OF ALABAMA

ALABAMA PUBLIC SERVICE COMMISSION

P.O. BOX 304260

MONTGOMERY, ALABAMA 36130-4260

TWINKLE ANDRESS CAVANAUGH, PRESIDENT

JOHN A. GARNER, EXECUTIVE DIRECTOR

JEREMY H. ODEN, ASSOCIATE COMMISSIONER

CHRIS "CHIP" BEEKER, JR., ASSOCIATE COMMISSIONER

### M E M O R A N D U M

DATE: March 28, 2023

TO: Commissioner Twinkle Andress Cavanaugh  
Commissioner Jeremy H. Oden  
Commissioner Chris "Chip" Beeker, Jr.

FROM: Jeff Johnston, Director *JJN*  
Utility Services Division

SUBJECT: Agenda for April 4, 2023 Commission Meeting.

The following items will be presented to the Commission during the regular April 4, 2023 Commission Meeting.

# **CONSUMER SERVICES REPORT**

# CONSUMER SERVICES ELECTRIC & GAS INQUIRIES

March

2/25/2023 - 3/24/2023

Company	Service Category	Total Inquiries	Service Outage Interruption	Service Quality	Service Connection	Service Disconnected	Billing Issues	Payment Issues	Request Info Only
Alabama Power	Residential	16					11	2	3
	Business	1					1		
Spire Alabama	Residential	9		1	1	2	4		1
	Business								
Spire Gulf	Residential	2		1					1
	Business								
TOTAL	Residential	27		2	1	2	15	2	5
	Business	1					1		

**BASIC SERVICE ONLY**

Company	Service Category	Total Inquiries	Service Outage	Service Quality	Service Connection	Service Disconnection	Billing Issues	Payment Issues	Lifeline	Request Info Only
ILEC	Residential									
	Business									
CLEC	Residential	1	1							
	Business									
TOLL	Residential									
	Business									
OTHER	Residential									
	Business									
<b>Total Under PSC Complaint Jurisdiction</b>		<b>1</b>	<b>1</b>							

**OTHER RETAIL SERVICES/ISSUES**

Service Category	Total Inquiries	Toll Service	Internet Service	Slamming Cramming	Wireless Issues	Number Porting Issues	Video CATV	Inmate Calling Service	Request Info Only
Residential	9		4			3	1		1
Business									
Total	9		4			3	1		1
Not Under PSC Jurisdiction	5		4				1		
Under PSC Jurisdiction	4					3			1

Other Retail Services/Issues Under PSC Jurisdiction ( <b>Above</b> )	4
Basic Service Inquiries Under PSC Jurisdiction ( <b>Previous Page</b> )	1
Total Telecom Inquiries Under PSC Jurisdiction ( <b>Non-referrals</b> )	5
Inquiries Not Subject to PSC Jurisdiction	5

Referred Inquiries (Waived Complaint Jurisdiction)	
Residential	7
Business	2
<b>TOTAL</b>	<b>9</b>

TOTAL TELECOM INQUIRIES			
Under PSC Complaint Jurisdiction	Waived Complaint Jurisdiction (Referrals)	Received But Not Under PSC Jurisdiction	Total Received
5	9	5	19

**Gas Agenda**

**NATURAL GAS**

Docket 18046 and SPIRE ALABAMA INC. -- Division Report on Rate RSE as of February  
18328 28, 2023

Based on preliminary figures as of February 28, 2023, the projected RSE return on average common equity for the rate year ending September 30, 2023, was 8.19 percent. The authorized return on average common equity is 9.50 to 9.90 percent.

Docket 28101 SPIRE GULF INC. -- Division Report on Rate RSE as of February 28,  
2023

Based on preliminary figures as of February 28, 2023, the projected RSE return on average common equity for the rate year ending September 30, 2023, was 10.27 percent. The authorized return on average common equity is 9.70 to 10.30 percent.

Docket U-4822 SPIRE ALABAMA INC. -- Application for Approval of an Amendment to a Special Services Agreement with Precoat Metals, a Division of Sequa Corp.

Recommend Approval

**Water Agenda**

**WASTEWATER**

Docket 31555      O'BRIEN ENVIRONMENTAL SERVICES, LLC -- Petition for approval to  
Renew the Certificate of Financial Viability for O'Brien Environmental  
Services LLC.

Recommend approval.

**Telecommunication Agenda**

**AMENDED INTERCONNECTION AGREEMENT (S)**

- Docket U-4908     BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST -- Request Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and Time Warner Cable Information Services (Alabama), LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.  
Recommend Approval.

**SUMMARY OF OTHER FILING (S)**

- D-7766     NATIONAL TELEPHONE OF ALABAMA, INC. -- Increases the rate for residential Basic Local Exchange Service by 4.9 percent, corresponding to the annual Consumer Price Index change, as authorized in the Communications Reform Act. Filed February 27, 2023, with a requested effective date of May 1, 2023.
- D-7767     ROANOKE TELEPHONE COMPANY d/b/a TEC -- Increases the rate for residential Basic Local Exchange Service by 4.9 percent, corresponding to the annual Consumer Price Index change, as authorized in the Communications Reform Act. Filed February 27, 2023, with a requested effective date of May 1, 2023.
- D-7768     CONSOLIDATED COMMUNICATIONS OF FLORIDA COMPANY, INC. -- Increases the rate for residential Basic Local Exchange Service by 4.9 percent, corresponding to the annual Consumer Price Index change, as authorized in the Communications Reform Act. Filed March 2, 2023, with a requested effective date of April 1, 2023.



## FIELD SERVICES

February 2023

The Field Services Section (FSS) Staff inspected five wastewater treatment plants during the month of February.

Three systems, located in Wedowee, Randolph County and managed by Community Utilities of Alabama provided service to an aggregate total of sixty-three homeowners. Two of the systems were permitted by the ADPH and one by ADEM. All systems were functioning as designed at the time of each inspection.

Two systems, managed by Integrated Wastewater, Inc. were inspected due to complaints received from multiple homeowners.

**Complaint** 1-Doss Ferry, located in Kimberly, had a faulty Rain Sensor causing it to discharge effluent from the holding pond to the field at a time when the field was saturated. This caused a small portion of the community to experience a foul odor. While many residents contacted the APSC and ADEM, it was discovered that not all residents actually experienced the odor but were moved to complain via a community Facebook page. The Rain gauge was replaced and the issue was resolved.

A follow-up was conducted and everyone contacted was satisfied with the repairs. During the follow-up inspection, an engineer from ADEM was also on-site conducting their inspection and found no discrepancies.

**Complaint** 2-The second system inspected due to homeowner complaints and also managed by Integrated Wastewater, Inc. was Fieldstown Crossing. This system, which provides wastewater treatment for 102 residents, is permitted by Jefferson County Health Dept (JCHD) and ADEM, is located in Gardendale.

The system has a capacity to treat 21,000 gpd and is currently treating 11,400 gpd on average. The system was operating as designed with no defects noted at the time of the inspection.

After inspecting the system, I met with the HOA President. The Management Entity changed hands last year causing some uproar among the residents. The HOA President expressed his thoughts that they should have had the opportunity to buy the system and that he thought Mr. Hattaway had taken on more than he could manage considering a clause in the Homeowners Association agreement specifying that septic tanks be inspected around the seven-year point. I told him that the new owner had developed a schedule to accomplish the remainder of these inspections within six- eight weeks.

As of this writing, all tanks have been inspected that are accessible and seven were found to be in need pumping. All seven interceptor tanks have been pumped.

**DOCKET 32151 - TELECOMMUNICATION PROVIDERS FILING NOTICE OF THEIR ELECTION TO WAIVE THE COMMISSION'S RETAIL SERVICE COMPLAINT AND DISPUTE JURISDICTION IN ACCORDANCE WITH §37-2A-4(K) of ALABAMA LEGISLATIVE ACT 2014-082.**

<p><b>MARCH 2023 ELECTIONS:</b></p> <p><b>NONE</b></p> <p><b>PRIOR ELECTIONS:</b></p> <p>ACN Communications Services, Inc.</p> <p>BellSouth Telecommunications, LLC d/b/a AT&amp;T Alabama (Effective June 1, 2014)</p> <p>CenturyTel of Alabama, LLC d/b/a CenturyLink</p> <p>Knology of Alabama, Inc. d/b/a WOW! Internet, Cable and Phone</p> <p>Knology of the Valley, Inc. d/b/a WOW! Internet, Cable and Phone</p> <p>Knology Total Communications, Inc. d/b/a WOW! Internet, Cable and Phone</p> <p>Frontier Communications of Alabama, LLC</p> <p>Frontier Communications of Lamar County, LLC</p> <p>Frontier Communications of the South, LLC</p> <p>Gulf Telephone Company d/b/a CenturyLink</p> <p>McLeodUSA Telecommunication Services</p> <p>National Telephone of Alabama, Inc.</p>	<p>.</p> <p>Network Telephone Corporation</p> <p>Paetec Communications, Inc.</p> <p>Roanoke Telephone Company, Inc.</p> <p>Spectrotel of Alabama, LLC</p> <p>TEC of Jackson, Inc.</p> <p>The Other Phone Company</p> <p>US LEC of Alabama, LLC</p> <p>Valley Telephone Co., LLC d/b/a WOW! Internet, Cable and Phone</p> <p>Wiregrass Telecom, Inc. d/b/a WOW! Internet, Cable and Phone</p> <p>Windstream Alabama, LLC</p> <p>Windstream Communications, Inc.</p> <p>Windstream KDL, Inc.</p> <p>Windstream Norlight, Inc.</p> <p>Windstream NuVox, Inc.</p> <p>YMax Communications Corp.</p>
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**MEMORANDUM**

**DATE: March 28, 2023**

**TO: President Twinkle Andress Cavanaugh  
Commissioner Jeremy H. Oden  
Commissioner Chris "Chip" Beeker, Jr.**

**FROM: Jonathan M Kimbril, Acting Director *JMK*  
Gas Pipeline Safety Division**

**SUBJECT: Agenda for April 4, 2023, Commission Meeting**

This memorandum reflects activities of the Gas Pipeline Safety (GPS) Division that will be presented at the April 4, 2023, Commission Meeting.

**Inspections**

GPS performed the following inspections during the month of February, a total of thirty-three (33) inspections and two (2) operator training sessions were conducted utilizing seventy-nine (79) person-days. The inspections and training sessions are itemized as follows:

Standard Inspection	Construction	Operator Qualification	Public Awareness	IMP / DIMP	Control Room	Incident /Accident	Section 114	Drug & Alcohol	Follow-Up	Total Inspections
8	5	0	7	0	0	0	0	2	11	33

From the thirty-three (33) inspections shown above, three (3) enforcement letter of notification were issued, noting twenty-seven (27) non-compliance issues. There were five (5) non-compliance items corrected during the month of February.

**Training**

Two (2) operator/contractor training sessions on Polyethylene (PE) plastic fusion were conducted during the month of February:

- |   |                          |
|---|--------------------------|
| ➤ 2/2/2023 – Fultondale Gas Board - PE  | 38 Personnel Qualified   |
| ➤ 2/22/2023 – Southern Directional – PE | 39 Contractors Qualified |

The total personnel trained the month of February was 77.

## **Incidents/Accidents**

There were three state reportable and zero federal reportable incidents during the month of February. All the incidents were in the southern section of the state. None of the incidents had fire, an explosion, or injuries to occur. All three of the incidents were on natural gas.

- 2/1/2023 – Wilcox County Gas District – A section of 3” pipeline within the distribution system has been exposed due to a washout. The district has determined that the washout is extensive and aggressive and thus the best course of action to prevent damage and future erosion will be relocation.
- 2/6/2023 – Southeast Gas – a contractor installing fiber lines struck a 1" main feeding approximately 61 houses and the contractor shut the valve off isolating the leak which in hand shut off gas to the 61 houses.
- 2/8/2023 – Southeast Gas – Plan of operation was to repair and replace a leaking valve that was believed to be a double feed main and when the stoppers were dropped in all gas to 60 customers was lost due to the main only being fed by a single main line.

## **Miscellaneous**

Acting Director Kimbril was able to speak at the Birmingham Chapter of AMPP about "A Regulator's Role in Guiding Future Cathodic Protection Policies". This covered how the exchange of knowledge and information during an inspection had an impact on future regulation.

GPS has submitted progress reports for the year 2022 for both the Natural Gas and Hazardous Liquid Programs to PHMSA.



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JOHN A. GARNER, EXECUTIVE DIRECTOR

### MEMORANDUM

**DATE:** March 28, 2023

**TO:** President Twinkle Andress Cavanaugh  
Commissioner Jeremy H. Oden  
Commissioner Chris "Chip" Beeker, Jr.

**FROM:** G. Scott Morris, Director *GSM*  
Utility Enforcement Division

**SUBJECT:** Agenda for the April 4, 2023, Commission Meeting

This memorandum reflects the Utility Enforcement Division's (UED) report describing the major tasks, inspections and activities accomplished by its staff during the month of February 2023.

#### 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	27	136	0	436	250

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

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
42	21	19	0

The data in the table shown below was collected from Motive Power & Equipment (MP&E) inspections that were 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	11	152	0	743

The table below shows observations completed by the MP&E Inspector in which no non-compliant conditions were identified.

Air Brake Tests	Blue Flag Protection	End of Train Devices
1	1	0

There were four incidents reported by the National Response Center (NRC) in February:

1. A derailment in Sycamore on **EARY** that resulted in a 2,000-gallon limestone slurry spill
2. A vehicle strike at a grade crossing in Atmore resulted in a fatality on **CSX**
3. A derailment with a 2,000-gallon diesel spill in Seale on **CCHA**
4. A derailment in a rail yard in Birmingham on **BNSF**

RWS staff investigated two mainline train derailments during the month of February. On February 1 a derailment was reported near Sycamore on **Eastern Alabama Railway** mainline. This derailment involved a limestone/clay slurry spill and a road crossing being blocked by derailed equipment. RWS staff deployed to the scene and conducted initial and follow-up inspections during their investigation. On February 13 a derailment was reported near Seale on the **Columbus and Chattahoochee Railroad**. The derailment involved a 2,000-gallon diesel spill from a locomotive that had a fuel tank compromised during the derailment. RWS staff deployed to the scene to investigate the cause of the derailment.

### MOTOR CARRIER SERVICES

The Motor Carrier Services (MCS) staff accomplished the following matters regarding state authority to operate as a motor carrier in Alabama with proof of insurance coverage:

Vehicle Registration Numbers	Intrastate Applications		NOL Processed/ Closed Intra Applications	Under Legal Division Review	New Authority Approved	Motor Carrier Authority Inquiries		
	Processed	Returned				Phone	E-mails	Others
4	9	1	0	11	10	63	97	25

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
312	37	14	7	32	61	327

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

UCR Applications		UCR Mailouts for 2023	UCR Audit Correspondence	UCR Inquiries	
Received	Returned			Phone	E-mail
21	5	230	16	184	71

As of February 28, there were 8,465 Alabama carriers (68%) registered for 2023 UCR with 3,943 that remain unregistered. Our office received funds from the UCR Depository for January online payments processed through the National Registration System (NRS) that came from 1,406 carriers that were

domiciled in Alabama and some that were in non-participating states.

During February, staff mailed three suspended payment letters to carriers that had not cleared up their suspended payments after being notified by the National Registration System (NRS) for the 2023 UCR registration year.

In February, \$4,467 was collected for Focused Anomaly Reviews (FARs) audits for the 2023 UCR registration year.

The staff also assisted motor carriers in making necessary changes to their operating status with the Federal Motor Carrier Safety Administration (FMCSA). There were 28 MCS-150 forms processed. Twenty-three motor carriers had their USDOT number deactivated. Five forms contained updates to the motor carriers' USDOT number data.

MCS staff attended the UCR Audit Subcommittee call and the UCR Education & Training Subcommittee call during the month. Staff also attended the first UCR Audit Q&A call where auditors from all participating states, members of the UCR Board and contract employees discussed useful tools and challenging audit issues that states may face.

Staff received three For Non-Profit (FNP) quarterly reports from FNP carriers for the fourth quarter of 2022.

A total of 167 household goods and passenger 2022 annual reports were mailed to carriers.

In February, two household goods supplement tariffs for **Big Dazzle, LLC d/b/a Pink Zebra Moving of Montgomery AL (C4143)** and **Culpepper Enterprises LLC d/b/a Pink Zebra Moving of Auburn AL (C4142)** and one household goods tariff for **Livin Large, LLC d/b/a Pink Zebra Moving of Birmingham (NEW)** were accepted.

There were two passenger carrier hearings held in February for:

- **Dennis Luxury Transportation LLC**
- **Southern Trans LLC**



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**March 28, 2023**

**MEMORANDUM**

**TO:** President Twinkle Andress Cavanaugh  
Commissioner Jeremy H. Oden  
Commissioner Chris "Chip" Beeker, Jr.

**FROM:** John D. Free, Director *JDF*  
Electricity Policy Division

**SUBJECT:** Agenda – April 4, 2023 Commission Meeting

The Electricity Policy Division will present the following items at the April 4, 2023 Commission Meeting.

**ELECTRICITY**

**ALABAMA POWER COMPANY**

**Dockets** 18117 Division Report on Rate RSE and Rate ECR as of February 28, 2023  
and  
18416; The Electricity Policy Division performed the regular monthly examination  
18148 of the books and records of Alabama Power Company. Included in the table  
below are selected financial highlights concerning Rate RSE and Rate ECR.  
In addition, the Division's computations and determination of the December  
2023 Weighted Return on Average Retail Common Equity (WRRCE),  
actualized through February 2023, can be found on page 2 of this report.

<b>Rate RSE Forecast</b>		<b>Rate ECR Summary</b>
<b>12 Months Ending DECEMBER 31, 2023</b>		<b>Energy Cost Over/(Under) Recovered for FEBRUARY 2023</b>
<b>5.63%</b>		
<b>WRRCE</b>		<b>\$29,848,290</b>

\*The authorized Weighted Return on Average Retail Common  
Equity Range is 5.75% - 6.15%.



# ELECTRICITY POLICY DIVISION AGENDA

April 4, 2023 Commission Meeting

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## ELECTRICITY POLICY DIVISION **Alabama Power Company** **Weighted Return on Average Retail Common Equity Calculation** **Forecast - 12 Months Ending December 31, 2023**

Common Equity as of February 28, 2023		\$11,900,266,904
Add Budgeted Net Income:		
March through December 2023	\$1,053,711,200	
Add Budgeted Capital Contributions:		
March through December 2023	\$77,195,753	
Add Other Adjustments:		
March through December 2023	\$0	\$1,130,906,952
Deduct Budgeted Stock Dividends:		
March through December 2023	\$861,786,111	\$861,786,111
Projected Common Equity for December 31, 2023		\$12,169,387,745
<hr/>		
Projected Average Common Equity		
For the 12 Months Ending December 31, 2023		\$11,961,997,291
Projected Retail Investment Separation Factor		94.99%
Projected Average Retail Common Equity		
For the 12 Months Ending December 31, 2023		\$11,362,701,227
Projected Retail Net Income		
For the 12 Months Ending December 31, 2023		\$1,214,052,472
Projected Common Equity Percentage of Capital Structure		
For the 12 Months Ending December 31, 2023		52.65%
Projected Weighted Return on Average Retail Common Equity (WRRCE)		
For the 12 Months Ending December 31, 2023		5.63%

The Common Equity as of February 28, 2023 (Actual) was adjusted using net income, payment of Common Stock and Preferred Stock dividends, Capital Contributions, and Other Adjustments from the Company's 2023 budget. The average common equity is a 12-month average using actual and budgeted data. The average retail common equity (RCE) was calculated using the retail separation factor of 94.99%. The retail net income (RNI) for average common equity and the common equity percentage (CEP) were calculated by using actual data for the two months ended February 28, 2023, and then adding ten months of budget data for March through December 2023. The Other Adjustments, if any, are the result of the Company adopting FASB Statement 123 (R), which requires the reporting of stock option expenses.

The Forecast is subject to change due to uncertainties associated with weather, customer usage patterns and economic conditions across the state.

## ELECTRICITY POLICY DIVISION AGENDA

April 4, 2023 Commission Meeting

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**Docket 32382** Consistent with the requirements of the Certificate of Convenience and Necessity granted in Docket No. 32382, Alabama Power Company (“the Company”) is proposing two fifteen-year Energy Purchase Agreements in connection with the 4 and 5 Notch Solar Projects. The projects will be constructed, owned, operated, and maintained by Alabama Solar E, LLC and Alabama Solar F, LLC. Detailed project information was submitted to the Alabama Public Service Commission (“the Commission”) Staff on February 24, 2023. As part of its proposal, the Company is also requesting approval of two Contracts for Renewable Subscription Program (“Participation Contracts”) between Alabama Power and Novelis Inc. (“Novelis”). Novelis has subscribed to 100% of the environmental attributes yielded by the 4 and 5 Notch Solar Projects.

The Staff has reviewed the information provided by the Company, together with other information obtained throughout the review process, and has determined that the 4 and 5 Notch Solar Projects meet the criteria specified in the Certificate granted in Docket No. 32382. The Staff likewise finds the Novelis Participation Contracts to be in furtherance of the objectives of Docket No. 32382. If the Energy Purchase Agreements are approved by the Commission, the 4 and 5 Notch Solar Projects are expected to commence commercial operation on or before December 31, 2025.

**Recommendation:** Approval



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## MEMORANDUM

DATE: March 29, 2023

TO: Commission President Twinkle Andress Cavanaugh  
Commissioner Jeremy H. Oden  
Commissioner Chris "Chip" Beeker, Jr.  
Division Directors

FROM: Legal Division

SUBJECT: Agenda - April 4, 2023 Commission Meeting

The Legal Division will present the following at the April 4, 2023 Commission Meeting:

**DOCKET 32094** (Y) - Petition of Green Worx, LLC, of Cullman, Alabama, to recommence operations under Motor Carrier Certificate F4741. Motor Carrier Certificate F4741 was suspended at the request of Green Worx, LLC for a period of one year by Commission Order dated November 3, 2021.

**Recommend:** Grant request to recommence operations under Motor Carrier Certificate F4741.

**DOCKET C-20569** (Y) - Petition of Green Worx, LLC, of Cullman, Alabama, for approval of cargo self-insurance.

**Recommend:** Approval

**DOCKET C-20570** (Y) - Petition of Vernon Milling Company, Inc., of Vernon, Alabama, for approval of cargo self-insurance.

**Recommend:** Approval

**DOCKET 33334** (Y) - Unopposed application to transfer Motor Carrier Certificate F3017  
FROM: Leo Armstrong d/b/a Armstrong Farms, of Albertville,  
Alabama, TO: Armstrong Farm LLC, of Albertville, Alabama

**Recommend:** Grant

**DOCKET 33271** (Y) - Motor carrier application of Les M Walker d/b/a Walker Taxi, of  
Sheffield, Alabama, for a Certificate to transport passengers. A Report  
and Recommended Order ("RRO") was entered in this cause on January  
30, 2023, which recommended the application be denied. Exceptions  
were timely filed by the Applicant. No Replies to the Exceptions were  
filed by the Protestant.

**Recommend:** Denial of the authority sought as recommended in the  
RRO.

**DOCKET C-20514** (Y) - Petition of Evergreen Transport, LLC, of Evergreen, Alabama, for  
reinstatement of Motor Carrier Certificate F4814 which was revoked due  
to Petitioner's failure to maintain proper proof of liability and cargo  
insurance coverage.

**Recommend:** Grant/Reinstatement

**DOCKET 31647;** (Y) - Petition of PMTT, Inc. d/b/a M & P Trucking ("M & P Trucking"),  
**C-16303** of Jasper, Alabama, for cancellation of Motor Carrier Certificate F1579  
(Docket 31647). M & P Trucking also has approval of cargo  
self-insurance authority in Informal Docket C-16303.

**Recommend:** Grant cancellation as requested (Docket 31647) and  
grant cancellation of cargo self-insurance authority as requested  
(Informal Docket C-16303).

**DOCKET C-20485** (B) - Petition of Handy Guys Moving Service LLC d/b/a Handy Guys  
Moving Service, of Mobile, Alabama, for reinstatement of Motor Carrier  
Certificate 4040 which was revoked due to Petitioner's failure to  
maintain proper proof of liability insurance coverage.

**Recommend:** Grant/Reinstatement

**DOCKET C-20510** (B) - Petition of Allen Transportation Co., LLC, of Kimberly, Alabama,  
for reinstatement of Motor Carrier Certificate FNP B-94 which was  
revoked due to Petitioner's failure to maintain proper proof of liability  
insurance coverage.

**Recommend:** Grant/Reinstatement

LEGAL DIVISION AGENDA

April 4, 2023 Commission Meeting

March 29, 2023

PAGE #3

**DOCKET 31918;** (B) - Petition of EOL Logistics, LLC, of Lincoln, Alabama, for  
**C-20564** cancellation of Motor Carrier Certificate F4630 (Docket 31918). Motor  
Carrier Certificate F4630 was revoked by Commission Order dated  
March 7, 2023, due to Petitioner's failure to maintain proper proof of  
liability insurance coverage (Informal Docket C-20564).

**Recommend:** Reinstatement of Motor Carrier Certificate F4630  
(Informal Docket C-20564) for the sole purpose of cancelling Motor  
Carrier Certificate F4630 in good standing. Grant cancellation as  
requested (Docket 31918).

**DOCKET 16094;** (B) - Petition of Hill's Moving & Storage Company, Inc., of Anniston,  
**24410;** Alabama, for cancellation of Motor Carrier Certificates 2456, 3808 and  
**28886;** F350. Motor Carrier Certificate F350 was revoked by Commission  
**C-20544** Order dated March 7, 2023, due to Petitioner's failure to maintain proper  
proof of cargo insurance coverage (Informal Docket C-20544).

**Recommend:** Reinstatement of Motor Carrier Certificate F350  
(Informal Docket C-20544) for the sole purpose of cancelling Motor  
Carrier Certificate F350 in good standing. Grant cancellation as  
requested (Dockets 16094, 24410 and 28886).

**DOCKET 33341** (B) - Alabama Public Service Commission v. Delinquent Companies.  
Show cause proceeding to address the failure of numerous carriers to pay  
Inspection and Supervision ("I&S") fees for the fiscal year 2022 despite  
numerous notices.

**Recommend:** Establishment of a show cause hearing requiring the  
offending carriers to appear and show cause as to why their certificate  
should not be revoked for their failure to comply with the statute  
requiring the payment of I&S fees.

LEGAL DIVISION AGENDA

April 4, 2023 Commission Meeting

March 29, 2023

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**DOCKET 33350**

(G) - Recommended Investigation Proceeding to consider the non-compliance of Fern Parc Apartment Homes ("Fern Parc") with all applicable Gas Pipeline Safety regulations enforced by the Commission. Fern Parc is a gas pipeline master meter operator in Huntsville, Alabama. Fern Parc was recently inspected by personnel from the Commission's Gas Pipeline Safety Division and found to be non-compliant with a number of Gas Pipeline Safety regulations enforced by the Commission. Fern Parc was given opportunities to rectify the violations for which they were cited and requested to provide further information to the Commission that would shed light on the issues identified by staff. Fern Parc has not corrected the violations noted by staff and has not responded to staff requests for additional information. Notably, other Gas Pipeline master meter operators have been inspected by Staff and found to be deficient. Staff is awaiting responses and corrective action reports from those master meter operators that are similarly situated to Fern Parc.

**Recommend:** Establishment of the investigation proceeding recommended to consider the non-compliance of Fern Parc Apartment Homes and other similarly situated gas pipeline master meter operators with the Gas Pipeline Safety regulations enforced by the Commission.