



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

MEMORANDUM

DATE: July 26, 2022

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 August 2, 2022 Commission Meeting.

The following items will be presented to the Commission during the regular August 2, 2022 Commission Meeting.

CONSUMER SERVICES REPORT

CONSUMER SERVICES ELECTRIC & GAS INQUIRIES

July

6/25/2022 - 7/24/2022

Company	Service Category	Total Inquiries	Service Outage Interruption	Service Quality	Service Connection	Service Disconnected	Billing Issues	Payment Issues	Request Info Only
Alabama Power	Residential	48	33	3			5	3	4
	Business	1		1					
Spire Alabama	Residential	3					2	1	
	Business								
Spire Gulf	Residential								
	Business								
TOTAL	Residential	51	33	3			7	4	4
	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	1					1			
TOLL	Residential									
	Business									
OTHER	Residential									
	Business									
Total Under PSC Complaint Jurisdiction		2	1				1			

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	4	1	1				2		
Business									
Total	4	1	1				2		
Not Under PSC Jurisdiction	3		1				2		
Under PSC Jurisdiction	1	1							

Other Retail Services/Issues Under PSC Jurisdiction (Above)	1
Basic Service Inquiries Under PSC Jurisdiction (Previous Page)	2
Total Telecom Inquiries Under PSC Jurisdiction (Non-referrals)	3
Inquiries Not Subject to PSC Jurisdiction	3

Referred Inquiries (Waived Complaint Jurisdiction)	
Residential	19
Business	1
TOTAL	20

TOTAL TELECOM INQUIRIES			
Under PSC Complaint Jurisdiction	Waived Complaint Jurisdiction (Referrals)	Received But Not Under PSC Jurisdiction	Total Received
3	20	3	26

Gas Agenda

NATURAL GAS

Docket 18046 and SPIRE ALABAMA INC. -- Division Report on Rate RSE as of June 30,
18328 2022

Based on preliminary figures as of June 30, 2022, the projected RSE return on average common equity for the rate year ending September 30, 2022, was 9.63 percent. The authorized return on average common equity is 10.15 to 10.65 percent.

Docket 28101 SPIRE GULF INC. -- Division Report on Rate RSE as of June 30, 2022

Based on preliminary figures as of June 30, 2022, the projected RSE return on average common equity for the rate year ending September 30, 2022, was 8.84 percent. The authorized return on average common equity is 9.70 to 10.30 percent.

Telecommunication Agenda

AMENDED INTERCONNECTION AGREEMENT (S)

- Docket U-4277 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and TELEPAK NETWORKS, INC. -
- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and Telepak Networks, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

This Amendment implements the Federal Communications Commission's ("FCC") Orders 19-66 and 19-72 in WC Docket No. 18-141, the FCC UNE and Resale Forbearance Order and FCC Order 20-152 in WC Docket No. 19-308, the FCC UNE Relief Order.

Recommend Approval.

- Docket U-4277 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and TELEPAK NETWORKS, INC. -
- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and Telepak Networks, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

This Amendment implements the Federal Communications Commission's ("FCC") Third Report and Order and Declaratory Ruling, FCC No. 18-111 ("Order"), modifying existing pole attachment rules.

Recommend Approval.

- Docket U-4509 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and HAYNEVILLE FIBER TRANSPORT, INC. d/b/a CAMELLIA COMMUNICATIONS -- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and Hayneville Fiber Transport, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Recommend Approval.

- Docket U-5066 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and SPECTROTEL OF ALABAMA, LLC d/b/a TOUCH BASE COMMUNICATIONS -- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and Spectrotel of Alabama, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.

PETITION (S)

- Docket 25980 FRONTIER COMMUNICATIONS OF THE SOUTH, LLC -- Petition of Frontier Communications of the South, LLC ("Frontier") for an Order Confirming Relinquishment of its Eligible Telecommunications Carrier (ETC) Designation. Frontier's relinquishment of its ETC designation in Alabama is prompted by changes to the universal service program at the federal level and the phasing-out of all high-cost universal service support, for which Frontier was formerly eligible. Frontier did not win any Rural Development Opportunity Fund locations in the state of Alabama and, therefore, is not required to maintain its ETC status in the state under that program.
Recommend Approval.

NAME CHANGE (S)

- Docket 32449 MAGNA5 LLC -- Changes company name from Magna5 LLC to RingSquared Telecom LLC. Filed July 14, 2022 with an immediate effective date.
Recommend Approval.

SUMMARY OF OTHER FILING (S)

- D-7743 TELCOVE OPERATIONS, LLC -- Modifies the Access Services Tariff to comply with the Federal Communications Commission (FCC) Report and Order in WC Docket No. 18-156, FCC Release No. 20-143 issued October 9, 2020. These modifications reduce intercarrier compensation charges to increase efficiencies in call routing and decrease incentives for fraud in 8YY (toll-free) calls. Filed July 20, 2022, with a requested effective date of July 30, 2022.

- D-7744 LEVEL 3 TELECOM OF ALABAMA, LLC -- Modifies the Access Services Tariff to comply with the Federal Communications Commission (FCC) Report and Order in WC Docket No. 18-156, FCC Release No. 20-143 issued October 9, 2020. These modifications reduce intercarrier compensation charges to increase efficiencies in call routing and decrease incentives for fraud in 8YY (toll-free) calls. Filed July 20, 2022, with a requested effective date of July 30, 2022.
- D-7745 LEVEL 3 COMMUNICATIONS, LLC -- Modifies the Switched Access Services Tariff to comply with the Federal Communications Commission (FCC) Report and Order in WC Docket No. 18-156, FCC Release No. 20-143 issued October 9, 2020. These modifications reduce intercarrier compensation charges to increase efficiencies in call routing and decrease incentives for fraud in 8YY (toll-free) calls. Filed July 20, 2022, with a requested effective date of July 30, 2022.
- D-7746 CENTURYTEL BROADBAND SERVICES, LLC -- Modifies the Access Services Tariff to comply with the Federal Communications Commission (FCC) Report and Order in WC Docket No. 18-156, FCC Release No. 20-143 issued October 9, 2020. These modifications reduce intercarrier compensation charges to increase efficiencies in call routing and decrease incentives for fraud in 8YY (toll-free) calls. Filed July 20, 2022, with a requested effective date of July 30, 2022.
- D-7747 CENTURYLINK COMMUNICATIONS, LLC d/b/a CENTURYLINK and CENTURYLINK COMMUNICATIONS, LLC d/b/a LUMEN, D/B/A LUMEN TECHNOLOGIES, D/B/A LUMEN TECHNOLOGIES GROUP -
- Modifies the Access Services Tariff to comply with the Federal Communications Commission (FCC) Report and Order in WC Docket No. 18-156, FCC Release No. 20-143 issued October 9, 2020. These modifications reduce intercarrier compensation charges to increase efficiencies in call routing and decrease incentives for fraud in 8YY (toll-free) calls. Filed July 20, 2022, with a requested effective date of July 30, 2022.

- D-7748 FRONTIER COMMUNICATIONS OF THE SOUTH, LLC -- Increases the late payment fee to \$14.00 or 1 ½ percent, whichever is greater, to standardize this charge for business customers. Filed July 5, 2022, with a requested effective date of August 1, 2022.



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MEMORANDUM

DATE: July 26, 2022

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

FROM: Wallace R. Jones, Director *WRJ*
Gas Pipeline Safety Division

SUBJECT: Agenda for August 2, 2022, Commission Meeting

This memorandum reflects activities of the Gas Pipeline Safety (GPS) Division that will be presented at the August 2, 2022, Commission Meeting.

- GPS performed the following inspections during the month of June 2022:

Standard Inspection	Construction	IMP/DIMP	Operator Qualification	Incident	Damage Prevention	Section 114	Control Room	Follow-Up	Total Inspections
20	7	6	7	2	4	9		8	63

From the sixty-three (63) inspections shown above, ten (10) enforcement letters of notification were issued, noting twenty-one (21) non-compliance issues. Fourteen (14) non-compliance items were corrected during the month of June.

Incidents/Accidents

Three (3) state-reportable incidents and one (1) Pipeline and Hazardous Material Safety Administration (PHMSA)-reportable incident were reported during the month of June:

- 6/1/2022 – Jacksonville Gas Board – Pneumatic-piercing tool punctured 6" steel main; main was not located by Jacksonville employees
- 6/9/2022 – Trussville Water and Gas – Lightning struck service line to abandoned house; damage to storage building built over service line
- 6/16/2022 – Southeast Gas (Western Division) – Remodeling contractor for Walmart damaged fuel line inside building.
- 6/20/2022 – Spire – Alabama (Parrish, AL) – Landowner punched hole in 4" steel main with Front-end Loader bucket; equipment burned, and landowner hospitalized. PHMSA-reportable incident

Training

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

- | | |
|---------------------------------------|------------------------|
| ➤ 6/22/2022 – Calera Gas Department | 17 Personnel Qualified |
| ➤ 6/28/2022 – Mobile Pipe and Welding | 27 Personnel Qualified |

Miscellaneous

Mr. Daniel Trapp, Pipeline Safety Investigations Supervisor, participated in “Successor Training” with Mr. Wallace Jones, Gas Pipeline Division Director on June 7 – 10, 2022. Mr. Jones has submitted his retirement request and Mr. Trapp has an interest in applying for the Director’s position. Two other Pipeline Safety personnel will work with Mr. Jones in July and August.

A staff meeting of Gas Pipeline Safety (GPS) personnel was held on June 10, 2022. The main focus of this meeting was to go over the results of the just-completed PHMSA audit of GPS. Several new regulations and reports were also discussed.

Mr. Jonathan Kimbril, Pipeline Safety Investigations Supervisor, attended the Alabama Natural Gas Association (ANGA) Annual meeting in Orlando, Florida on June 11 -15, 2022. Mr. Kimbril represented GPS at this meeting.



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JOHN A. GARNER, EXECUTIVE DIRECTOR

MEMORANDUM

DATE: July 26, 2022

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 August 2, 2022 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 June 2022.

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	17	60	0	191	92

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

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
37	8	9	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
6	11	132	0	518

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

Air Brake Tests	Blue Flag Protection	End of Train Devices
1	3	0

There were three incidents reported by the National Response Center (NRC) in June:

1. A butadiene gas release was reported in Muscle Shoals on NS
2. A vehicle strike resulting in a fatality was reported in Birmingham on NS
3. A vehicle strike resulting in a fatality was reported in Birmingham on NS

UED staff conducted interviews and began the selection process for a new Railway Safety “Track” Inspector. This process involved in-person interviews and discussions with the FRA to ensure that the needs were met for the candidate to enter the training program as a journeyman inspector. The selection process was narrowed down to a couple of candidates, and we anticipate concluding our selection process and completing our hiring process in July.

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
9	8	0	0	6	7	65	50	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
332	20	9	4	50	42	331

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

UCR Applications		UCR Mailouts for 2022	UCR Audit Correspondence	UCR Inquiries	
Received	Returned			Phone	E-mail
1	0	169	0	45	6

As of June 30, there were 10,003 Alabama carriers (79%) registered for 2022 UCR with 2,574 that remain unregistered. Our office received funds from the UCR Depository for May online payments processed through the National Registration System (NRS) that came from 317 carriers that were domiciled in Alabama and some that were in non-participating states.

During June, the staff mailed one pending payment letter to a carrier that created a voucher several weeks prior where payment had not been received for the 2022 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 two MCS-150 forms processed that contained updates to carriers' USDOT number data.

MCS staff attended the UCR Audit Training, the UCR Board meeting and the annual National Conference of State Transportation Specialists (NCSTS) held in Niagara Falls, NY.

The staff received one For Non-Profit (FNP) quarterly report from an FNP carrier for the first quarter of 2022. Also, during the month 72 FNP quarterly reports were sent by mail and e-mail for the second quarter of 2022.

There were 18 annual reports for 2021 received in June.

There was one emergency fuel surcharge supplement granted for one month to **Armstrong Transfer & Storage, Co., Inc. d/b/a Armstrong Relocation (C618)** in June.

There was one passenger carrier hearing held in May for **Taylor's House of Camellias LLC d/b/a Taylor's House of Camellias Transportation**.

MCS staff answered two phone calls and six e-mails related to transportation network companies during June.

FIELD SERVICES

The Field Services Section (FSS) Staff inspected **Community Utilities of Alabama's** Windermere Lakeside Garden facilities in Bremen. This facility provides wastewater treatment for thirteen families in Cullman County. While this system had experienced a lightning strike a year ago, everything had been repaired and was functioning as designed with no discrepancies noted during the inspection.

Staff inspected **Plantation Water, Inc.** located in Eufaula. Plantation purchases water from Baker Hill Water Authority and resells it to twenty-two residents of Hannah Court. One discrepancy was identified during this inspection and brought to the attention of the Management Entity. They assured staff that the issue would be corrected promptly.



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July 26, 2022

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 – August 2, 2022 Commission Meeting

The Electricity Policy Division will present the following items at the August 2, 2022 Commission Meeting.

ELECTRICITY

ALABAMA POWER COMPANY

Dockets 18117 Division Report on Rate RSE and Rate ECR as of June 30, 2022
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
2022 Weighted Return on Average Retail Common Equity (WRRCE),
actualized through June 2022, can be found on page 2 of this report.

Rate RSE Forecast		Rate ECR Summary
12 Months Ending DECEMBER 31, 2022		Energy Cost Over/(Under) Recovered for JUNE 2022
6.68% WRRCE		(\$102,346,329)

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

ELECTRICITY POLICY DIVISION AGENDA

August 2, 2022 Commission Meeting

Page 2

ELECTRICITY POLICY DIVISION **Alabama Power Company** **Weighted Return on Average Retail Common Equity Calculation** **Forecast - 12 Months Ending December 31, 2022**

Common Equity as of June 30, 2022		\$11,606,645,294
Add Budgeted Net Income:		
July through December 2022	\$690,931,276	
Add Budgeted Capital Contributions:		
July through December 2022	\$27,280,363	
Add Other Adjustments:		
July through December 2022	\$0	\$718,211,639
Deduct Budgeted Stock Dividends:		
July through December 2022	\$535,954,172	\$535,954,172
Projected Common Equity for December 31, 2022		\$11,788,902,761
<hr/>		
Projected Average Common Equity		
For the 12 Months Ending December 31, 2022		\$11,529,080,642
Projected Retail Investment Separation Factor		95.06%
Projected Average Retail Common Equity		
For the 12 Months Ending December 31, 2022		\$10,959,544,058
Projected Retail Net Income		
For the 12 Months Ending December 31, 2022		\$1,379,063,524
Projected Common Equity Percentage of Capital Structure		
For the 12 Months Ending December 31, 2022		53.12%
Projected Weighted Return on Average Retail Common Equity (WRRCE)		
For the 12 Months Ending December 31, 2022		6.68%

The Common Equity as of June 30, 2022 (Actual) was adjusted using net income, payment of Common Stock and Preferred Stock dividends, Capital Contributions, and Other Adjustments from the Company's 2022 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 95.06%. The retail net income (RNI) for average common equity and the common equity percentage (CEP) were calculated by using actual data for the six months ended June 30, 2022, and then adding six months of budget data for July through December 2022. 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.



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MEMORANDUM

DATE: July 27, 2022

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

FROM: Legal Division

SUBJECT: Agenda - August 2, 2022 Commission Meeting

The Legal Division will present the following at the August 2, 2022
Commission Meeting:

DOCKET C-20133 (Y) - Petition of The Designated Driver, LLC., of Eufaula, Alabama, for reinstatement of Motor Carrier Certificate FNP B-49 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-20311 (Y) - Petition of Gardner Bulk and Transport, Inc., of Alabaster, Alabama, for reinstatement of Motor Carrier Certificate F5184 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-20297 (Y) - Petition of JIST Trucking, LLC, of Creola, Alabama, for reinstatement of Motor Carrier Certificate F3886 which was revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage.

Recommend: Grant/Reinstatement

LEGAL DIVISION AGENDA

August 2, 2022 Commission Meeting

July 27, 2022

PAGE #2

DOCKET 33203 (Y) - Motor Carrier Certificate 4135 was issued to Johnny McDowell Sr. d/b/a Skinners Transportation Service ("Skinners Transportation Service"), of Northport, Alabama by Commission Order dated February 2, 2022. Said Order also required Skinners Transportation Service to file its tariff, obtain insurance and registration numbers and properly identify its vehicles. Skinners Transportation Service has failed to make the required filings.

Recommend: Cancellation on 30 days' notice

DOCKET 24491; (Y) - Petition of Central Alabama Transport, Inc., of Tuscaloosa, Alabama, for cancellation of Motor Carrier Certificates F392 and P538.
22460

Recommend: Grant cancellation as requested

DOCKET 33267 (B) - Application of All My Sons of Mobile LLC, of Mobile, Alabama, for a Certificate to transport household goods.

Recommend: Grant certificate and approval of tariff

DOCKET 33231 (B) - APSC v. Delinquent Companies (that failed to timely pay inspection/supervision fees). The Commission has now received the inspection and supervision fee and late fee from BNSF Railway.

Recommend: Reinstatement of BNSF Railway