



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: June 25, 2024

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

FROM: Jeff Johnston, Director ^{JJJ}
Utility Services Division

SUBJECT: Agenda for July 2, 2024 Commission Meeting.

The following items will be presented to the Commission during the regular July 2, 2024 Commission Meeting.

CONSUMER SERVICES REPORT

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	1	1							
	Business									
CLEC	Residential									
	Business									
TOLL	Residential									
	Business									
OTHER	Residential									
	Business									
Total Under PSC Complaint Jurisdiction		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	1		1						
Business									
Total	1		1						
Not Under PSC Jurisdiction	1		1						
Under PSC Jurisdiction									

Other Retail Services/Issues Under PSC Jurisdiction (Above)	0
Basic Service Inquiries Under PSC Jurisdiction (Previous Page)	1
Total Telecom Inquiries Under PSC Jurisdiction (Non-referrals)	1
Inquiries Not Subject to PSC Jurisdiction	1

Referred Inquiries (Waived Complaint Jurisdiction)	
Residential	3
Business	2
TOTAL	5

TOTAL TELECOM INQUIRIES			
Under PSC Complaint Jurisdiction	Waived Complaint Jurisdiction (Referrals)	Received But Not Under PSC Jurisdiction	Total Received
1	5	1	7

Gas Agenda

NATURAL GAS

Docket 18046 and SPIRE ALABAMA INC. -- Division Report on Rate RSE as of May 31,
18328 2024

Based on preliminary figures as of May 31, 2024, the projected RSE return on average common equity for the rate year ending September 30, 2024, was 9.66 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 May 31, 2024

Based on preliminary figures as of May 31, 2024, the projected RSE return on average common equity for the rate year ending September 30, 2024, was 10.54 percent. The authorized return on average common equity is 9.70 to 10.30 percent.

Water Agenda

WATER

- Docket 29120 PLANTATION WATER SYSTEM -- Requests approval for water rate increase for all customers. Staff has reviewed the filing and recommends that the filing be suspended for 180 days to and through January 28, 2025. Recommend Approval.
- Docket 29120 PLANTATION WATER SYSTEM -- Request approval to increase late fees from \$1.50 to \$5.00 for all customers. Filed June 12, 2024 with a requested effective date of August 1, 2024. Recommend Approval.

Telecommunication Agenda

INTERCONNECTION AGREEMENT (S)

- Docket U-5467 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and STRATUS NETWORKS, INC. -
- Approval of an Interconnection Agreement between BellSouth Telecommunications, LLC. d/b/a AT&T Alabama or AT&T Southeast and Stratus Networks, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.

MISCELLANEOUS

- Docket U-5468 AT&T -- Request approval of revised Access Tariff to grandfather Intrastate Shared Used agreements. Filed May 31, 2024 with a requested effective date of July 1, 2024.
Recommend Approval.
- Docket 25399;
18927 AT&T CORP. d/b/a ACC BUSINESS and AT&T CORP. d/b/a LUCKY DOG PHONE CO. -- Approval of a change in the corporate entity name from AT&T Corp to AT&T Enterprises, LLC. The change will be seamless for customers. Filed May 23, 2024 with an immediate requested date.
Recommend Approval.

SUMMARY OF OTHER FILING (S)

- D-7804 BUTLER TELEPHONE COMPANY -- Revised tariff pages to reflect the increase in the Late Payment Charge for Consumer customers. Filed June 4, 2024 with a requested effective date of July 1, 2024.

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>JUNE 2024 ELECTIONS:</p> <p>NONE</p> <p>PRIOR ELECTIONS:</p> <p>ACN Communications Services, Inc.</p> <p>BellSouth Telecommunications, LLC d/b/a AT&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: June 25, 2024

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

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

SUBJECT: Agenda for July 2, 2024, Commission Meeting

The following items will be presented to the Commission during the regular July 2, 2024, Commission Meeting.

Inspections

During the month of May, a total of thirty-four (34) inspections were conducted utilizing seventy-six (76) 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	1	2			1						TOTAL
	MUNICIPAL	11	1								6	
	MASTER METER										2	
	LIQUID PROPANE (LP)											
	LIQUIFIED NATURAL GAS (LNG)											
	INTRASTATE TRANSMISSION	3	1		2		1				1	
	GAS GATHERING	1			1							
	OFFSHORE GAS											
LIQUID PIPELINE SYSTEMS	REFINED PETROLEUM PRODUCTS											
	CRUDE OIL											
	HVL FLAMMABLE / TOXIC											
	CARBON DIOXIDE											
	BIOFUEL											
TOTALS		16	4		3	1	1				9	34

Training

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

- 5/21/2024 Leak City – Athens, AL PE 27 Personnel Trained
- 5/22/2024 Cullman-Jefferson PE 11 Personnel Trained

Enforcement Actions

From the thirty-four (34) inspections shown above, four (4) enforcement letters of notification were issued noting fourteen (14) non-compliance issues. There were thirteen (13) non-compliance items corrected during the month of May.

Incidents / Accidents

There were three (3) state reportable incidents and zero (0) federal incidents reported during the month of May.

- 5/7/2024 Spire Alabama – Birmingham Division – Spire was getting multiple odor calls. After investigating the calls and looking at all the stations, Spire found an odorizer that had failed and was dumping an extreme amount of odor into the pipeline. The station was turned off and the area was fed from another feed until the odorizer is repaired.
- 5/22/2024 Huntsville Utilities – Contractor struck a 2inch plastic main that had failed due to improper locating. There was an active one call ticket.
- 5/29/2024 Spire Alabama – Selma Division – South Dallas Turf was cleaning out a drainage ditch with a backhoe and cut a 2” plastic main servicing 32 customers. South Dallas Turf did not have a One Call Ticket.

Miscellaneous

Gas Pipeline Safety (GPS) had the opportunity to attend and speak at the National Association of Pipeline Safety Representatives (NAPSR) southern region meeting. The presentation focused on Alabama current workload and common findings during investigations.

Additionally, GPS presented at Mississippi’s Annual Pipeline Safety Conference while attending the NAPSR Southern Region meeting. Alabama, along with the Pipeline and Hazardous Materials Safety Administration (PHMSA) and Louisiana Pipeline Safety, presented on public awareness and damage prevention.



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JOHN A. GARNER, EXECUTIVE DIRECTOR

MEMORANDUM

DATE: June 25, 2024
TO: President Twinkle Andress Cavanaugh
Commissioner Jeremy H. Oden
Commissioner Chris "Chip" Beeker, Jr.
FROM: Amanda D. Shehane, Director ~~ADD~~
Utility Enforcement Division
SUBJECT: Agenda for the July 2, 2024, 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 May 2024.

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
10	39	134	1	92	478

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

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
0	20	11	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
6	15	222	0	1160

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
0	2	0

Both track and MP&E inspectors performed record inspection reviews shown below on railroad inspections, repair records, and highway grade crossings.

	Track Inspection Records	MP&E Railcar & Locomotive Repair Records	Highway Grade Crossings
Inspections	1	1	6
Units Inspected	105	22	62
Defects	1	0	2

There were two incidents reported by the National Response Center (NRC) in May:

1. A vehicle strike with unknown injuries in Talladega on CSX.
2. A semi-truck strike resulted in a fatality in Opelika on NS.

The RWS Administrator was accepted into the FRA’s OP Inspector training program to dual certify as a track and OP inspector. This will be the first time the Railway Safety Section has had an Operating Practices inspector on staff. This position will focus on reducing human factor incidents and derailments. Human factor elements continue to be a leading factor in incident and derailment causes throughout the state.

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
13	9	0	0	9	8	60	100	22

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
283	35	15	6	26	40	66

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

UCR Applications		UCR Mailouts for 2024	UCR Audit Correspondence	UCR Inquiries	
Received	Returned			Phone	E-mail
0	1	67	0	29	12

As of May 31, there were 8,616 Alabama carriers (89%) registered for 2024 UCR with 1,018 remaining unregistered. Our office received the final 2024 UCR distribution from the UCR Depository, and Alabama has now reached its cap.

MCS staff participated in the UCR Industry Advisory Subcommittee call and a UCR Course Development Project call during the month.

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

Our office received three For Non-Profit (FNP) quarterly reports for the first quarter of 2024 during the month.

Staff received forty 2023 annual reports from household goods and passenger carriers. Seventy-two delinquent letters were mailed to all Household Goods and Passenger carriers that failed to meet the April 30th deadline.

In May, one passenger tariff was rejected for **Cahaba Limousine LLC (C4157)**. There was a taxi tariff for **Preferred NEMT L.L.C. (C4151)** and **Lonnie Franklin Paschall Jr dba Lonnie's Personal Transportation (C4162)** received and accepted for each company. There were four passenger tariffs accepted for the following carriers: **Cahaba Limousine Service LLC (C4157)**, **Dominion Shuttle (C4117)**, **Above And Beyond Health Services LLC (C4158)**, and **M & M Mobility Incorporated dba Careavan Transport (C4058)**.

Staff participated in two passenger carrier hearings that were held during May for:

- **Checker & Deluxe Cab Co. Inc.**
- **Angel Wing's Transport, L.L.C.**

Three desk audits were completed on the following household goods carriers:

- **Secure Moving, Inc. (C3766)** – No issues were found.
- **Morgan Moving & Storage, Inc. (C549)** – The carrier was advised to carefully follow its tariff or submit a new tariff/supplement.
- **American Safety Movers, Inc. (C4034)** – The carrier was advised to carefully follow its tariff or submit a new tariff/supplement.

The MCS staff conducted the annual records inspection review with Rasier, LLC (Uber) in May. The review went well, and Uber representatives were courteous and forthcoming with responses to any staff questions or concerns. Commission staff held a virtual vehicle inspection with a Yoshi, Inc. certified mechanic and Uber staff to go through the 20-point vehicle inspection required as a TNC driver. Also, there were 10 e-mails related to TNCs during the month.



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June 25, 2024

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 – July 2, 2024 Commission Meeting

The Electricity Policy Division will present the following items at the July 2, 2024 Commission Meeting.

ELECTRICITY

ALABAMA POWER COMPANY

Dockets 18117 Division Report on Rate RSE and Rate ECR as of May 31, 2024

and
 18416;
 18148

The Electricity Policy Division performed the regular monthly examination 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 2024 Weighted Return on Average Retail Common Equity (WRRCE), actualized through May 2024, can be found on page 2 of this report.

Rate RSE Forecast	Rate ECR Summary
12 Months Ending DECEMBER 31, 2024 6.02% WRRCE	Energy Cost Over/(Under) Recovered for MAY 2024 \$20,749,911

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

ELECTRICITY POLICY DIVISION
Alabama Power Company
Weighted Return on Average Retail Common Equity Calculation
Forecast - 12 Months Ending December 31, 2024

Common Equity as of May 31, 2024		\$12,729,012,115
Add Budgeted Net Income:		
June through December 2024	\$868,907,334	
Add Budgeted Capital Contributions:		
June through December 2024	\$51,833,178	
Add Other Adjustments:		
June through December 2024	\$0	\$920,740,512
Deduct Budgeted Stock Dividends:		
June through December 2024	\$582,045,980	\$582,045,980
Projected Common Equity for December 31, 2024		\$13,067,706,647
<hr/>		
Projected Average Common Equity		
For the 12 Months Ending December 31, 2024		\$12,839,630,777
Projected Retail Investment Separation Factor		95.28%
Projected Average Retail Common Equity		
For the 12 Months Ending December 31, 2024		\$12,233,600,204
Projected Retail Net Income		
For the 12 Months Ending December 31, 2024		\$1,380,072,711
Projected Common Equity Percentage of Capital Structure		
For the 12 Months Ending December 31, 2024		53.33%
Projected Weighted Return on Average Retail Common Equity (WRRCE)		
For the 12 Months Ending December 31, 2024		6.02%

The Common Equity as of May 31, 2024 (Actual) was adjusted using net income, payment of Common Stock and Preferred Stock dividends, Capital Contributions, and Other Adjustments from the Company's 2024 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 95.28%. The retail net income (RNI) for average common equity and the common equity percentage (CEP) were calculated by using actual data for the five months ended May 31, 2024, and then adding seven months of budget data for June through December 2024. 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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CHRIS "CHIP" BEEKER, JR., ASSOCIATE COMMISSIONER

MEMORANDUM

DATE: June 26, 2024

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

FROM: Legal Division

SUBJECT: Agenda - July 2, 2024 Commission Meeting

The Legal Division will present the following at the July 2, 2024 Commission Meeting:

DOCKET 33384 (Y) - Motor Carrier Permit 655 was issued to Mountain Taxi, LLC d/b/a Sunset Taxi ("Sunset Taxi"), of Gulf Shores, Alabama, by Commission Order dated March 6, 2024. Said Order also required Sunset Taxi to file its schedule of rates, obtain insurance and registration numbers and properly identify its vehicles. Sunset Taxi has failed to make the required filings.

Recommend: Cancellation on 30 days' notice

DOCKET 33437 (Y) - Petition of Ralph Moving LLC d/b/a Pink Zebra Moving of Columbus, Georgia, for an extension of time to make the required filings.

Recommend: Grant additional 90 days to allow applicant to make the required filings.

DOCKET C-20933 (B) - Petition of Charles A. Brown d/b/a C. Brown's Hauling and Excavating of Fyffe, Alabama, for reinstatement of Motor Carrier Certificate F1002 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET 31733 (B) - Petition of Move & Store, LLC of Birmingham, Alabama, for a waiver from the Rule 3.22 prohibition against having a trade name appear on its vehicles in larger lettering than the name under which the certificate was issued.

Recommend: Approval of a temporary waiver (two years) from the Rule 3.22 prohibition against having a trade name appear on its vehicles in larger lettering than the name under which the certificate was issued. Require Move & Store, LLC to meet with Commission Staff annually regarding employment of consumer protection safeguards.

DOCKET 33455 (B) - APSC v. Delinquent Companies (that failed to timely pay inspection/supervision fees). A show cause hearing was held on May 16, 2024 in this matter to give those entities an opportunity to appear and show cause why their respective certificates of public convenience and necessity should not be revoked for their failure to pay the required fees.

The Commission has received the inspection and supervision fee and late fee from Moundville Telephone Company and MTC Long Distance.

Arapaho Communications, LP failed to pay the required Inspection and Supervision fees and failed to appear at the show cause hearing.

Recommend: Issuance of an order: 1) reinstating the Certificate of Convenience and Necessity for Moundville Telephone Company and dismissing them from this proceeding; 2) reinstating the Certificate of Convenience and Necessity for MTC Long Distance and dismissing them from this proceeding; and 3) revoking the Certificate of Convenience and Necessity for Arapaho Communications, LP. Arapaho Communications, LP may achieve reinstatement upon payment of \$100 for each month required fees are delinquent, starting from the effective date of this order.

DOCKET 32780 (B) - Application of Lyft, Inc. for renewal of its permit to operate as a transportation network company ("TNC") in the State of Alabama.

Recommend: Approve the Permit Renewal Application

DOCKET 32779 (B) - Application of Rasier, LLC (a.k.a. "Uber") for renewal of its permit to operate as a transportation network company ("TNC") in the State of Alabama.

Recommend: Approve the Permit Renewal Application



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JEREMY H. ODEN, ASSOCIATE COMMISSIONER

CHRIS "CHIP" BEEKER, JR., ASSOCIATE COMMISSIONER

MEMORANDUM

DATE: June 27, 2024

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

FROM: Legal Division

SUBJECT: Off Agenda Items – July 2, 2024 Commission Meeting

In addition to the items listed on our previous agenda, the Legal Division will present the following items at the July 2, 2024, Commission Meeting:

**OFF AGENDA ITEMS
JULY 2, 2024, COMMISSION MEETING**

DOCKET 33477(Y) – Unopposed motor carrier application of Scott's Transportation, LLC, of Union Springs, Alabama, for a certificate to transport passengers. The Applicant waived its right to a Report and Recommended Order.

RECOMMEND: Grant

DOCKET 31221 & 31287(Y) – Petition of Helping Hands Transport Service, Inc., of Hartselle, Alabama, for cancellation of Motor Carrier Certificate C3955 and FNP A-56.

RECOMMEND: Grant

DOCKET 33476(M) – Unopposed motor carrier application of Joyride Company LLC, of Hoover, Alabama, for a certificate to transport passengers. The Applicant waived its right to a Report and Recommended Order.

RECOMMEND: Grant



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JEREMY H. ODEN, ASSOCIATE COMMISSIONER

CHRIS "CHIP" BEEKER, JR., ASSOCIATE COMMISSIONER

MEMORANDUM

DATE: June 28, 2024

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

FROM: Legal Division

SUBJECT: Off Agenda Item – July 2, 2024 Commission Meeting

In addition to the items listed on our previous agenda, the Legal Division will present the following item at the July 2, 2024, Commission Meeting:

OFF AGENDA ITEM
JULY 2, 2024, COMMISSION MEETING

DOCKET 18148(G) – Rate ECR (Energy Cost Recovery). On May 3, 2024, Energy Alabama filed a Petition to Intervene in this cause. On May 14, 2024, Alabama Power Company ("Alabama Power" or the "Company") filed a Response to Energy Alabama's Petition to Intervene asserting that there was no pending proceeding in Docket 18148 in which Energy Alabama could intervene. On May 30, 2024, Energy Alabama filed a Reply to Alabama Power's May 14, 2024 Response asserting that Rate ECR is an open docket, and therefore an active proceeding, in which Energy Alabama may intervene. On June 7, 2024, Alabama Power filed an Answer to Energy Alabama's May 30, 2024 Reply further supporting the company's prior assertion that there is no pending proceeding in Docket 18148 in which Energy Alabama may intervene.

RECOMMEND: Dismissal of Energy Alabama's Petition to Intervene as there is no pending proceeding in which Energy Alabama may intervene at this time. Should there be such a pending proceeding in the future, Energy Alabama may exercise its right to participate by submitting a timely and properly supported petition to intervene.