



## 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: January 25, 2022

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

FROM: Darrell A. Baker, Director *DAB*  
Utility Services Division

SUBJECT: Agenda for February 1, 2022 Commission Meeting.

The following items will be presented to the Commission during the regular February 1, 2022 Commission Meeting.

# **CONSUMER SERVICES REPORT**

# CONSUMER SERVICES ELECTRIC & GAS INQUIRIES

January

12/24/2021 - 1/22/2022

Company	Service Category	Total Inquiries	Service Outage Interruption	Service Quality	Service Connection	Service Disconnected	Billing Issues	Payment Issues	Request Info Only
Alabama Power	Residential	9	1	1	1	1	5		
	Business								
Spire Alabama	Residential	2					2		
	Business								
Spire Gulf	Residential	3					3		
	Business								
TOTAL	Residential	14	1	1	1	1	10		
	Business								

**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	2	2							
	Business									
TOLL	Residential									
	Business									
OTHER	Residential									
	Business									
Total Under PSC Complaint Jurisdiction		3	3							

**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			2		1				
Business									
Total			2		1				
Not Under PSC Jurisdiction			2		1				
Under PSC Jurisdiction			0		0				

Other Retail Services/Issues Under PSC Jurisdiction ( <b>Above</b> )	0
Basic Service Inquiries Under PSC Jurisdiction ( <b>Previous Page</b> )	3
Total Telecom Inquiries Under PSC Jurisdiction ( <b>Non-referrals</b> )	3
Inquiries Not Subject to PSC Jurisdiction	3

Referred Inquiries (Waived Complaint Jurisdiction)	
Residential	5
Business	2
<b>TOTAL</b>	<b>7</b>

TOTAL TELECOM INQUIRIES			
Under PSC Complaint Jurisdiction	Waived Complaint Jurisdiction (Referrals)	Received But Not Under PSC Jurisdiction	Total Received
3	7	3	13

**Gas Agenda**

**NATURAL GAS**

Docket 18046 and SPIRE ALABAMA INC. -- Division Report on Rate RSE as of December  
18328 31, 2021

Based on preliminary figures as of December 31, 2021, the projected RSE return on average common equity for the rate year ending September 30, 2022, was 10.01 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 December 31,  
2021

Based on preliminary figures as of December 31, 2021, the projected RSE return on average common equity for the rate year ending September 30, 2022, was 9.13 percent. The authorized return on average common equity is 9.70 to 10.30 percent.

Docket U-5410 SPIRE ALABAMA INC. -- Application for approval of an agreement with BBT Alabama, LLC for firm transportation capacity. Filed January 22, 2022.

Recommend Approval

Docket U-5411 SPIRE ALABAMA INC. -- Application for approval of an agreement with Gulf South Pipeline Company, LLC for storage and firm transportation capacity. Filed January 22, 2022.

Recommend Approval

Docket U-5412 SPIRE ALABAMA INC. -- Application for approval of an agreement with Southern Natural Gas Company, LLC for firm transportation capacity required for expansion into Ranburne, AL Filed January 22, 2022.

Recommend Approval

Utility Services Agenda  
Monthly Commission Meeting  
January 25, 2022  
Page 3

Docket U-5413     SPIRE ALABAMA INC. -- Application for approval of an agreement with Southern Natural Gas Company, LLC for firm transportation capacity needed to address existing capacity shortfalls. Filed January 22, 2022.  
Recommend Approval

**Water Agenda**

**WATER**

- Docket 30494      CENTRAL WATER WORKS, INC. -- Petition seeking approval of increased rates for water service. Company serves customers in Florida and customers in Flomaton, AL from its Century, FL location Central Water Works is not regulated by the Florida PSC but rates for its Alabama customer base come under this Commission's jurisdiction. Filed January 22, 2022, the Staff recommendation is suspension of the filing from the proposed March 1, 2022, effective date up to August 28, 2022, allowing for further investigation.  
Recommend Approval.



**Telecommunication Agenda**

**INTERCONNECTION AGREEMENT (S)**

- Docket U-5408     CENTURYTEL OF ALABAMA, LLC d/b/a CENTURYLINK, and DISH WIRELESS L.L.C. and GULF TELEPHONE COMPANY d/b/a CENTURYLINK -- Request Approval of Commercial Mobile Radio Services (CMRS) Interconnection Agreement between CenturyTel of Alabama, LLC d/b/a CenturyLink, Gulf Telephone Company d/b/a CenturyLink and DISH Wireless L.L.C.  
Recommend Approval.

**AMENDED INTERCONNECTION AGREEMENT (S)**

- Docket U-4705     BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and METROPOLITAN TELECOMMUNICATIONS OF ALABAMA, INC. -- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and Metropolitan Telecommunications of Alabama, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.  
Recommend Approval.
- Docket U-5176     BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and RCLEC, INC. -- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and RCLEC, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.  
Recommend Approval.

**MISCELLANEOUS**

Docket U-5409     PEOPLES TELEPHONE COMPANY d/b/a TDS TELECOM -- Rules of the North America Numbering Plan Administrator ("NANPA") grant the Commission discretion to override NANPA's denial of requested numbering resources in Alabama. Peoples Telephone Company Inc. d/b/a/ TDS Telecom seeks Commission concurrence with its numbering resources request and asks the Commission to override NANPA's denial of the numbering resources sought by the Petitioner to serve the needs of a business customer. The request is for a single block of 1,000 numbers from the 256 area code.

Recommend Approval.

Docket 29063     CHARTER FIBERLINK-ALABAMA, LLC -- Requests Local Exchange Tariff Revision to add Lifeline Telephone Service Charter Fiberlink - Alabama, LLC is now designated as an Eligible Telecommunication (ETC) and can apply for funding through the federal Universal Service Fund (USF). Filing received December 23, 2021 with a requested effective date of December 27, 2021.

Recommend Approval.



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**MEMORANDUM**

**DATE:** January 25, 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 February 1, 2022 Commission Meeting

This memorandum reflects activities of the Gas Pipeline Safety (GPS) Division that will be presented at the February 1, 2022 Commission Meeting.

- GPS performed the following inspections during the month of December 2021:

Standard Inspection	Construction	IMP/DIMP	Operator Qualification	Incident	Damage Prevention	Control Room	Follow-Up	TOTAL Inspections
4	12		3	2			6	27

From the twenty-seven (27) inspections shown above, two (2) enforcement letters of notification were issued, noting seven (7) non-compliance issues. Three (3) non-compliance issues were corrected during the month of December.

**Incidents/Accidents**

One Pipeline and Hazardous Materials Safety Administration (PHMSA) reportable incident and one state-reportable incident were reported during the month of December:

- 12/1/2021 – Clarke-Mobile Counties Gas District – Employee hospitalized with burns from fire; natural gas ignited during a purging operation due to failure to follow correct procedures.
- 12/13/2021 – Spire (Opelika) – 3<sup>rd</sup>-party damage to 4" plastic main; outage for approximately 150 customers; contractor had valid locate ticket; failed to use caution while excavating within the "tolerance zone"

**Training**

No operator/contractor training sessions on Polyethylene (PE) plastic fusion were conducted during the month of December.

### **Miscellaneous**

The Gas Pipeline Safety (GPS) Division hosted the 34<sup>th</sup> Annual Pipeline Safety Conference at the Embassy Suites Hotel on December 7 – 9, 2021. There were approximately 325 in attendance with 35 vendor tables conducting business. Vendor personnel, GPS Investigators and an Investigator from the Louisiana pipeline safety office made the safety presentations. Reviews were very positive about the content and the presentations. Plans are now underway for the 35<sup>th</sup> Annual Pipeline Safety Conference in December 2022.



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JOHN A. GARNER, EXECUTIVE DIRECTOR

### MEMORANDUM

**DATE:** January 25, 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 February 1, 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 December 2021.

#### 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
5	17	107	0	59	215

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

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
0	7	2	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
7	9	74	0	436

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

<b>Air Brake Tests</b>	<b>Blue Flag Protection</b>	<b>End of Train Devices</b>
1	2	0

There were three incidents reported by the National Response Center in December:

1. A grade crossing collision with an occupied vehicle in Tuscaloosa on **NS**
2. A trespasser fatality in Huntsville on **NS**
3. A 25-gallon hydraulic oil spill in Mobile at **CSX**

RWS Staff joined in monthly strategy and training calls. Some were hosted by the FRA for their respective disciplines. These conference calls ensure consistency in regulatory enforcement between state and federal inspection forces.

### **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:

<b>Vehicle Registration Numbers</b>	<b>Intrastate Applications</b>		<b>NOL Processed/ Closed Intra Applications</b>	<b>Under Legal Division Review</b>	<b>New Authority Approved</b>	<b>Motor Carrier Authority Inquiries</b>		
	<b>Processed</b>	<b>Returned</b>				<b>Phone</b>	<b>E-mails</b>	<b>Others</b>
18	10	1	0	7	10	38	43	22

MCS staff members handled the tasks shown below regarding insurance coverage, prepared correspondence that challenged incorrect filings and addressed related inquiries:

<b>Insurance Filings Received</b>	<b>Revocation Orders</b>	<b>Reinstatement Orders</b>	<b>Miscellaneous Actions</b>	<b>Letters Sent</b>	<b>Insurance Inquiries</b>	
					<b>Phone</b>	<b>E-mails</b>
300	30	10	3	12	33	294

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

<b>UCR Applications</b>		<b>UCR Mailouts for 2021/2022</b>	<b>UCR Audit Correspondence</b>	<b>UCR Inquiries</b>	
<b>Received</b>	<b>Returned</b>			<b>Phone</b>	<b>E-mail</b>
24	5	1,140	18	218	37

As of December 31, there were 10,764 Alabama carriers (87%) registered for 2021 UCR with 1,646 that remain unregistered. There were 6,435 Alabama carriers (56%) registered for 2022 UCR with 5,096 that remain unregistered.

In December, the staff mailed four pending payment letters to carriers that created a voucher several weeks prior where payment had not been received for the 2022 UCR registration year.

In December, \$2,097 was collected for Focused Anomaly Reviews (FARs) audits 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 eleven MCS-150 forms processed indicating that two motor carriers' USDOT numbers were deactivated and nine forms contained updates to carriers' USDOT number data.

MCS staff attended the UCR Board Audit Subcommittee call held in December.

The staff received one For Non-Profit (FNP) quarterly report from an FNP carrier for the fourth quarter of 2021.

In December, there was a passenger tariff for **Able Non-Emergency Medical Transport Service, LLC (C4125)** and a passenger supplement tariff for **Classy Limousine Service, LLC (C3898)** that were accepted.

The staff completed two compliance audits for the following carriers:

- **Anniston Limousine, Inc. (C3947)** – Carrier is currently providing a service that does not fall under the Commission's regulatory authority. It was recommended that the carrier follow their tariff when it begins for-hire intrastate transportation again.
- **Don Moore d/b/a Allen Limousine (C3749)** – There were no issues found.

There were five e-mails related to transportation network companies for the month of December.

### **FIELD SERVICES**

The Field Services Section (FSS) staff met with personnel from **East Lowndes Water Association (ELWA)** to inspect the Fernbank section of their water system. ELWA provides water to 118 Alabama residents from Plant 4 which is located in Steens, MS. No discrepancies were noted at the time of this inspection.

An inspection of **Integrated Wastewater Management** was also performed on two systems located in Kimberly, AL. Both systems were operating within normal parameters with no visible defects noted at the time of this inspection.



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**January 25, 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 – February 1, 2022 Commission Meeting**

The Electricity Policy Division will present the following items at the February 1, 2022 Commission Meeting.

**ELECTRICITY**

**ALABAMA POWER COMPANY**

**Dockets** 18117 Division Report on Rate RSE and Rate ECR as of December 31, 2021  
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 determinations of the twelve  
months ended December 2021 Weighted Return on Average Retail Common  
Equity (WRRCE) can be found on page 2 of this report, along with a year-  
end overview of Rate RSE.

<b>Rate RSE</b>		<b>Rate ECR Summary</b>
<b>12 Months Ended DECEMBER 31, 2021</b>		<b>Energy Cost Over/(Under) Recovered for DECEMBER 2021</b>
<b>6.28% WRRCE</b>		<b>(\$9,113,122)</b>

\*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**  
**12 Months Ended December 31, 2021**

Common Equity as of December 31, 2021	\$10,726,061,228
Average Common Equity For the 12 Months Ended December 31, 2021	\$10,617,743,186
Retail Investment Separation Factor	95.26%
Average Retail Common Equity For the 12 Months Ended December 31, 2021	\$10,114,462,159
Retail Net Income For the 12 Months Ended December 31, 2021	\$1,206,515,749
Common Equity Percentage of Capital Structure For the 12 Months Ended December 31, 2021	52.68%
Weighted Return on Average Retail Common Equity (WRRCE) For the 12 Months Ended December 31, 2021	6.28%

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**Dockets** 18117      On January 19, 2022, Alabama Power Company submitted its “prior year  
and  
18416      actual results” for the twelve-months ended December 31, 2021. The RSE  
calculation produced a Weighted Return on Average Retail Common  
Equity (WRRCE) of 6.28%. This calculation includes the amount of  
revenue to be returned for the benefit of customers, which at this time is  
estimated to be approximately \$181 million. The WRRCE calculation also  
reflects a discretionary accrual by the Company of \$65,000,000 to the  
Natural Disaster Reserve.

**Recommendation:** Of the approximate \$181 million to be returned for the benefit of customers, the Staff recommends that approximately \$126 million be utilized to reduce the current under-recovered balance in Rate ECR with the remaining amount of approximately \$55 million to be refunded to customers.

ELECTRICITY POLICY DIVISION AGENDA

February 1, 2022 Commission Meeting

Page 3

**Docket** U-5016 On January 18, 2022, Alabama Power Company filed with the Alabama Public Service Commission a petition seeking approval to extend the availability period for Rate Rider CRI (Community Redevelopment Incentive). Rate Rider CRI provides for a one-year incentive for customers that establish a new account in an existing building that has been unoccupied for at least six (6) months.

The proposed revision would become effective with March 2022 billings and extend the availability period to qualifying customers who enter into an electric service agreement prior to March 1, 2024.

**Recommendation:** Approval

**Docket** U-5017 On January 18, 2022, Alabama Power Company filed with the Alabama Public Service Commission a petition seeking approval to make clarifying and ministerial revisions to Rate Rider EDI (Economic Development Incentive). The revisions are intended to apply certain contract terms in a consistent manner across eligible customers and provide additional clarification regarding incentive eligibility and compliance.

If approved, the proposed revisions would become effective with March 2022 billings.

**Recommendation:** Approval



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## MEMORANDUM

DATE: January 25, 2022

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

FROM: Legal Division

SUBJECT: Agenda - February 1, 2022 Commission Meeting

The Legal Division will present the following at the February 1, 2022  
Commission Meeting:

**DOCKET 33203** (Y) - Unopposed motor carrier application of Johnny McDowell Sr. d/b/a Skinners Transportation Service, of Northport, Alabama, for a certificate to transport passengers and their baggage. The Applicant waived its right to a Report and Recommended Order.

**Recommend:** Grant

**DOCKET 33202** (Y) - Unopposed motor carrier application of Bryant's Limousine, LLC, of Pleasant Grove, Alabama, for a certificate to transport passengers and their baggage. The Applicant waived its right to a Report and Recommended Order.

**Recommend:** Grant

**DOCKET 32887** (Y) - Unopposed motor carrier application of Rush Hour Transit, Inc., of Moundville, Alabama, to extend an existing operation. The Applicant waived its right to a Report and Recommended Order at the hearing.

**Recommend:** Grant

**DOCKET 33204** (Y) - Unopposed motor carrier application, as restrictively amended, of Enterprise Rescue, Inc., of Enterprise, Alabama, for a certificate to transport passengers and their baggage in non-emergency medical transportation service. The Applicant waived its right to a Report and Recommended Order at the hearing.

**Recommend:** Grant of authority sought as amended

**DOCKET 33209** (Y) - Application of Scott R. Enterprises, LLC d/b/a College Hunks Hauling Junk and Moving, of Columbus, Georgia, for a Certificate to transport household goods.

**Recommend:** Grant certificate and approval of tariff

**DOCKET C-20052** (Y) - Petition of G & B Trucking LLC, of Pinson, Alabama, for reinstatement of Motor Carrier Certificate F4948 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

**Recommend:** Grant/Reinstatement

**DOCKET C-20202** (Y) - Petition of L & L Trucking, LLC, of Selma, Alabama, for reinstatement of Motor Carrier Certificate F3316 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

**Recommend:** Grant/Reinstatement

**DOCKET C-20199** (Y) - Petition of USF Holland LLC d/b/a Holland, of Holland, Michigan, for reinstatement of Motor Carrier Certificate F346 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

**Recommend:** Grant/Reinstatement

**DOCKET 32536;  
32313** (Y) - Petition of BML Transportation Services LLC, of Montgomery, Alabama, for cancellation of Motor Carrier Certificates 4038 and FNP A-78.

**Recommend:** Grant cancellation as requested

**DOCKET 33163** (Y) - Petition of Gregory Sargent d/b/a Southern Transportation, of Churchula, Alabama, for cancellation of Motor Carrier Certificate 4127.

**Recommend:** Grant cancellation as requested

**DOCKET C-20193** (B) - Petition of Applewhite Movers LLC, of Huntsville, Alabama, for reinstatement of Motor Carrier Certificate 4119 which was revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage.

**Recommend:** Grant/Reinstatement

**DOCKET 33197** (B) - Application of Seatus Technologies, LLC d/b/a Wyth, of Birmingham, Alabama, for a Permit to operate as a Transportation Network Company in the State of Alabama. A hearing was held on January 18, 2022, in which Commission Staff participated.

**Recommend:** Approval

**DOCKET 33208** (B) - Show Cause proceeding for Energy Systems Southeast LLC, of Birmingham, Alabama, for failure to respond to audit inquiries for 2021 Unified Carrier Registration.

**Recommend:** Issuance of an order establishing a show cause proceeding for Energy Systems Southeast LLC.

**DOCKET 33179** (B) - Petition of CenturyTel Broadband Services, LLC ("CenturyTel") for designation as an Eligible Telecommunications Carrier ("ETC") which, if granted, will make CenturyTel eligible to receive Federal Universal Service funding under the Federal Rural Digital Opportunity Fund Program. CenturyTel seeks ETC designation for a service area that encompasses the entire State of Alabama.

Notice of CenturyTel's petition was served on all parties of interest. No party submitted comments by the established deadline.

**Recommend:** Grant