



STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130-4260

CYNTHIA LEE ALMOND, PRESIDENT
JEREMY H. ODEN, COMMISSIONER, PLACE 1
CHRIS V. BEEKER, III, COMMISSIONER, PLACE 2

LUKE D. BENTLEY IV, EXECUTIVE DIRECTOR

MEMORANDUM

DATE: August 26, 2026

TO: Commission President Cynthia Lee Almond
Commissioner Jeremy H. Oden
Commissioner Chris V. Beeker, III.
Division Directors

FROM: Legal Division

SUBJECT: Agenda - September 1, 2026 Commission Meeting

The Legal Division will present the following at the September 1, 2026
Commission Meeting:

DOCKET 33046

Case 2026-1

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

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

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

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

DOCKET 33724

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

Recommend: Grant

DOCKET 33725

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

Recommend: Grant

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

Recommend: Grant

DOCKET 33728 (M) - Unopposed common carrier application of Granbury Executive Transport, LLC d/b/a Granbury Executive Transport, of Orange Beach, Alabama, for a certificate to transport passengers. Hearing was held on August 25, 2026, in which staff participated. The Applicant waived its right to a Report and Recommended Order at the hearing.

Recommend: Grant

DOCKET C-21590 (M) - Petition of Oscar Blanco d/b/a Blanco Enterprises, of Dixon Mills, Alabama, for approval of cargo self-insurance.

Recommend: Approval

DOCKET C-21515 (M) - Petition of Sunset Trolley LLC, of Foley, Alabama, for reinstatement of Motor Carrier Certificate CB149 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage. Petitioner submitted documentation that showed their liability insurance coverage required by law is now in effect.

Recommend: Grant / Reinstatement

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

Recommend: Grant / Reinstatement

DOCKET 33693 (M) - Petition of Hands on Transport, LLC, of Montgomery, Alabama, for an extension of time to make the required filings.

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

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DOCKET 33680 (M) - Petition of Reach Auto Shop Mid-South Apparel & Bargain Barn Inc., of Eutaw, Alabama, for an extension of time to make the required filings.

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

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

Recommend: Cancellation on 30 days' notice

DOCKET 33733 (M) - Show Cause proceeding for motor carriers who failed to file annual reports for 2025 operations. (*Alabama Public Service Commission v. All Motor Carriers who failed to file Annual Reports for 2025 operations*).

Recommend: Issuance of order establishing show cause hearing for all motor carriers who failed to file Annual Reports for 2025 operations.

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DOCKET 31182

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

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

By Commission Order dated April 7, 2026, Bio-Flow's petition was suspended until October 28, 2026 to allow the Commission time to investigate its request. On or about April 22, 2026, the Office of the Attorney General filed a motion to intervene. On July 21, 2026, a hearing was held, in which the Petitioner, the Office of the Attorney General and Commission staff participated. At the hearing Bio-Flow, through testimony and exhibits, entered evidence in support of its petition. Bio-Flow corrected its requested rate increase down from \$68.00 per month to \$66.22 per month. Bio-Flow also provided testimony regarding the reserve rate rider. Bio-Flow testified the reserve rate rider would comply with the Commission's Wastewater Management Entity Rule 8(7) and that Bio-Flow's current reserve has roughly \$130,000.00 that would be transferred to the reserve account to be restricted by the beforementioned rule. The Office of the Attorney General cross-examined Bio Flow's witnesses and objected to any rate increase, but requested if a rate increase was found to be supported by the evidence that the increase be done incrementally. On or about July 29, 2026, the Office of the Attorney General filed a Motion for

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Consideration. In its motion the Office of the Attorney General reemphasized its position that if an increase is warranted it should be down incrementally over a 12-month period.

Recommend:

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

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

**DOCKET 18046 and
18328**

Case 2026-1

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

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

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

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

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

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

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Recommend:

ROE Adjustment Point: 9.4%

ROE Range: 9.2% to 9.6%

RSE Term: 2 years

CCM: None

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

DOCKET 28101

Case 2026-1

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

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

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

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

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

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

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Recommend:

ROE Adjustment Point: 9.6%

ROE Range: 9.3% to 9.9%

RSE Term: 3 years

CCM: None

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