



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: April 30, 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 May 7, 2024 Commission Meeting.

The following items will be presented to the Commission during the regular May 7, 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									
	Business									
CLEC	Residential									
	Business	1					1			
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	2		2						
Business									
Total									
Not Under PSC Jurisdiction	2		2						
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	2

Referred Inquiries (Waived Complaint Jurisdiction)	
Residential	2
Business	0
TOTAL	2

TOTAL TELECOM INQUIRIES			
Under PSC Complaint Jurisdiction	Waived Complaint Jurisdiction (Referrals)	Received But Not Under PSC Jurisdiction	Total Received
1	2	2	5

Gas Agenda

NATURAL GAS

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

Based on preliminary figures at point-of-test March 31, 2024, the projected RSE return on average common equity for the rate year ending September 30, 2024, was 9.69 percent, which was within the authorized range and results in no adjustment to rates. 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 March 31, 2024

Based on preliminary figures as of March 31, 2024, the projected RSE return on average common equity for the rate year ending September 30, 2024, was 10.18 percent. The authorized return on average common equity is 9.70 to 10.30 percent.

Telecommunication Agenda

SUMMARY OF OTHER FILING (S)

- D-7801 CONSOLIDATED COMMUNICATIONS OF FLORIDA COMPANY, INC. -- Increases the business access line rate by 4.8 percent, corresponding to the annual Consumer Price Index change, as authorized in the Communications Reform Act. Filed April 1, 2024, with a requested effective date of May 1, 2024.
- D-7802 SECURUS TECHNOLOGIES, LLC. -- Approval of revisions to Tariff No. 1. Revisions include updating the Company's principal place of business, removing outdated language and updating the taxes language. Filed April 9, 2024 with a requested effective date of May 10, 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>APRIL 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: April 30, 2024

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

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

SUBJECT: Agenda for May 7, 2024, Commission Meeting

The following items will be presented during to the Commission during the regular May 7th, 2024, Commission Meeting.

Inspections

During the month of March, a total of thirty-six (36) inspections were conducted utilizing sixty-four and quarter (64.25) 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	3									1	TOTAL
	MUNICIPAL	1	6			1					6	
	MASTER METER	3									7	
	LIQUID PROPANE (LP)											
	LIQUIFIED NATURAL GAS (LNG)											
	INTRASTATE TRANSMISSION	3	1									
	GAS GATHERING											
	OFFSHORE GAS											
LIQUID PIPELINE SYSTEMS	REFINED PETROLEUM PRODUCTS	1				1						
	CRUDE OIL	1				1						
	HVL FLAMMABLE / TOXIC											
	CARBON DIOXIDE											
	BIOFUEL											
TOTALS		12	7			3					14	36

Training

One (1) operator/contractor training session on Polyethylene (PE) plastic fusion and zero (0) fire response training were conducted in March:

- 3/19/2024 Leak City PE 11 Personnel Trained

Enforcement Actions

From the thirty-six (36) inspections shown above, four (4) enforcement letters of notification were issued noting nine (9) non-compliance issues. There were eleven (11) non-compliance items corrected during the month of March.

Incidents / Accidents

There were one (1) state reportable incidents and zero (0) federal incidents reported during the month of December.

- 3/12/2024 Spire Alabama – Montgomery Division – During a delivery of odorant at a Spire station in Montgomery, a leak occurred from the delivery hose, resulting in odorant spilling onto the ground. Even a small amount of this liquid can produce a strong smell resembling rotten eggs. As a result, leak reports began to come in, prompting Spire to conduct leak surveys to confirm that only the odorant had been released.

Miscellaneous

Gas Pipeline Safety had the opportunity to attend and speak at the Alabama Natural Gas Association's Spring conference. The presentation focused on the state of the state program, providing insights into common violations identified statewide. Additionally, forthcoming changes to Integrity Management programs and their impact on excavation damage management were discussed. We also highlighted areas that will receive focused attention during Standard Inspections for the 2024 year. Conference attendance facilitated informal meetings between inspectors and pipeline operators, allowing for questions to be addressed and fostering stronger working relationships to promote a safer environment within the state of Alabama.



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JOHN A. GARNER, EXECUTIVE DIRECTOR

MEMORANDUM

DATE: April 30, 2024

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

FROM: Amanda D. Shehane, Director ~~AD&S~~
Utility Enforcement Division

SUBJECT: Agenda for the May 7, 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 March 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
8	28	131	0	349	273

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

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
10	18	15	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
3	8	138	0	747

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	1	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	0	1	2
Units Inspected	0	47	26
Defects	0	0	0

There were five incidents reported by the National Response Center (NRC) in March:

1. A vehicle strike with unknown injuries at a crossing in Bessemer on **NS**.
2. A derailment of eight cars with an unknown amount of cement was released in Demopolis on **NS**.
3. A derailment of two empty cars in Montgomery on **CSX**.
4. A derailment in a rail yard in Birmingham on **NS**.
5. A derailment of two trash cars in Marion Junction on **NS**.

In addition to the incidents reported above, the RWS staff also received the following notification from a source other than the NRC.

1. A concern/complaint about railroad encroachment onto personal property in Maplesville on **NS**.

One track inspector and the MP&E inspector completed their required FRA recurrent training in Pueblo, CO during the month. All of the RWS inspectors have now completed the required training to maintain their certifications for the year.

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
23	12	5	2	11	10	84	83	38

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
380	31	10	5	27	48	434

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
2	2	64	6	35	46

As of March 31, there were 8,171 Alabama carriers (86%) registered for 2024 UCR with 1,331 that remain unregistered. Our office received funds from the UCR Depository for February online payments processed through the National Registration System (NRS) that came from 559 carriers that were domiciled in Alabama and some that were in non-participating states.

In March, \$3,302.00 was collected from retreat audits for the 2023 UCR registration year. All 2023 UCR retreat audits are now closed.

MCS staff participated in the UCR Audit Subcommittee 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 three MCS-150 forms processed for motor carriers that had their USDOT number deactivated.

Our office received two For Non-Profit (FNP) quarterly reports, one for the third quarter and one for the fourth quarter of 2023 from an FNP carrier.

A total of nine 2023 annual reports were received from household goods and passenger carriers.

In March, one household goods supplement for **Office Movers, Inc. dba Movedaddy.com (C4029)** and one household goods tariff for **Light Striped Horse LLC dba Pink Zebra of Mobile AL (NEW)** were accepted.

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

- **Cahaba Limousine Services LLC**
- **Above and Beyond Health Services LLC**



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April 30, 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 – May 7, 2024 Commission Meeting

The Electricity Policy Division will present the following items at the May 7, 2024 Commission Meeting.

ELECTRICITY

ALABAMA POWER COMPANY

Dockets 18117 Division Report on Rate RSE and Rate ECR as of March 31, 2024
 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
 2024 Weighted Return on Average Retail Common Equity (WRRCE),
 actualized through March 2024, can be found on page 2 of this report.

Rate RSE Forecast	Rate ECR Summary
12 Months Ending DECEMBER 31, 2024	Energy Cost Over/(Under) Recovered for MARCH 2024
5.94% WRRCE	\$20,441,806

*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 March 31, 2024		\$12,802,275,116
Add Budgeted Net Income:		
April through December 2024	\$1,028,401,537	
Add Budgeted Capital Contributions:		
April through December 2024	\$81,510,801	
Add Other Adjustments:		
April through December 2024	\$0	\$1,109,912,338
Deduct Budgeted Stock Dividends:		
April through December 2024	\$873,068,970	\$873,068,970
Projected Common Equity for December 31, 2024		\$13,039,118,484
<hr/>		
Projected Average Common Equity		
For the 12 Months Ending December 31, 2024		\$12,820,401,679
Projected Retail Investment Separation Factor		94.67%
Projected Average Retail Common Equity		
For the 12 Months Ending December 31, 2024		\$12,137,074,270
Projected Retail Net Income		
For the 12 Months Ending December 31, 2024		\$1,352,753,831
Projected Common Equity Percentage of Capital Structure		
For the 12 Months Ending December 31, 2024		53.31%
Projected Weighted Return on Average Retail Common Equity (WRRCE)		
For the 12 Months Ending December 31, 2024		5.94%

The Common Equity as of March 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 94.67%. The retail net income (RNI) for average common equity and the common equity percentage (CEP) were calculated by using actual data for the three months ended March 31, 2024, and then adding nine months of budget data for April 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.

Docket U-4917 On April 16, 2024, Alabama Power Company (“Alabama Power” or “the Company”) proposed to withdraw Rate Rider DLC (Direct Load Control), a demand response program that operates under the name Centsable Switch. The program is a summer-only program and is not aligned with the dual-peaking nature of the Alabama Power electric system. The benefits of modifying the program to include winter periods would not overcome the costs to do so. In addition, the Company now has alternative programs in place to offer customers that participated in the Centsable Switch program.

Recommendation: Approval

Docket U-5017 On April 23, 2024, Alabama Power Company filed with the Alabama Public Service Commission (“the Commission”) a petition seeking approval to make certain clarifying and ministerial revisions to Rate Rider EDI (Economic Development Incentive), and to update the rate schedule to reflect the following prospective modifications: (i) condition the receipt of incentives on the customer remaining on the electric service rate identified in the contract for electric service for the duration of the elected term; and (ii) extend the availability of Rate Rider EDI until June 2028.

Rate Rider EDI is intended to promote economic recovery, economic development, and job creation. Rate Rider EDI provides incentives for customers who add at least 1 MW of new or incremental load at their premise. Alabama Power proposes that the revisions become effective contemporaneously with the entry of an order by the Commission.

Recommendation: Approval



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MEMORANDUM

DATE: May 1, 2024

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

FROM: Legal Division

SUBJECT: Agenda - May 7, 2024 Commission Meeting

The Legal Division will present the following at the May 7, 2024 Commission Meeting:

DOCKET 33464 (Y) - Unopposed motor carrier application of Inspiration NEMT Services, LLC, of Phenix City, Alabama, for a certificate to transport passengers. The Applicant waived its right to a Report and Recommended Order.

Recommend: Grant

DOCKET 33463 (Y) - Unopposed motor carrier application of 24 Transportation LLC d/b/a Platinum Chauffeured Transportation Services, of Foley, Alabama, for a certificate to transport passengers. The Applicant waived its right to a Report and Recommended Order.

Recommend: Grant

DOCKET C-20881 (Y) - Petition of H & W Transfer & Storage, Inc., of Anniston, Alabama, for reinstatement of Motor Carrier Certificates F2470 & C3777 which were revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

Recommend: Grant/Reinstatement

LEGAL DIVISION AGENDA

May 7, 2024 Commission Meeting

May 1, 2024

PAGE #2

DOCKET C-20764 (Y) - Petition of Charles B. Killingsworth d/b/a Killingsworth Hauling, of Calera, Alabama, for reinstatement of Motor Carrier Certificate F2212 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-20891 (Y) - Petition of S & W Builders, LLC, of Cedar Bluff, Alabama, for reinstatement of Motor Carrier Certificate F5195 which was revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-20880 (Y) - Petition of Ehrren's Transport L.L.C., of Harvest, Alabama, for reinstatement of Motor Carrier Certificate F4758 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-20878 (Y) - Petition of Bobby Johnson d/b/a B & E Johnson Trucking, of Estillfork, Alabama, for reinstatement of Motor Carrier Certificate F4333 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-20882 (Y) - Petition of Jeffery Hauling LLC, of Moody, Alabama, for reinstatement of Motor Carrier Certificate F5235 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET 33383 (Y) - Petition of Non-Emergency Medical Carriers Transportation and Services LLC d/b/a Non-Emergency Medicarriers Transportation and Services, of Pleasant Grove, 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 33396 (Y) - Petition of Preferred NEMT L.L.C., 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.

**DOCKET 16094;
24410;
28886** (Y) - Petition of Hill's Moving & Storage Company, Inc., of Anniston, Alabama, for cancellation of Motor Carrier Certificates C2456, C3808 & F350.

Recommend: Grant cancellation as requested

DOCKET 15749 (Y) - Petition of Bonded Moving & Storage Co., Inc., of Montgomery, Alabama, for cancellation of Motor Carrier Certificate C755.

Recommend: Grant cancellation as requested

DOCKET C-19365 (Y) - Petition of Southern Line, LLC, of Fyffe, Alabama, for cancellation of cargo self-insurance authority.

Recommend: Grant cancellation of cargo self-insurance authority as requested.

DOCKET 33438 (B) - Application for transportation network company ("TNC") permit for River North Transit LLC ("River North"). On April 25, 2024, River North filed a request to withdraw its application for a TNC permit.

Recommend: Grant of the request to withdraw the application and issuance of an order dismissing River North Transit LLC from this proceeding

DOCKET C-20916 (B) - Petition of Overstreet Trucking, LLC, of Creola, Alabama, for approval of cargo self-insurance.

Recommend: Approval

DOCKET 33446 (B) - Show Cause proceeding for Jesse Buckley d/b/a Buckley Trucking ("Buckley Trucking"), of Hanceville, Alabama for failure to respond to audit inquiries for 2024 Unified Carrier Registration ("UCR"). Buckley Trucking provided additional documentation to Commission Staff and paid the correct UCR registration fee.

Recommend: Issuance of an order dismissing Jesse Buckley d/b/a Buckley Trucking from this proceeding.

LEGAL DIVISION AGENDA

May 7, 2024 Commission Meeting

May 1, 2024

PAGE #4

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 (120 days) 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.

DOCKET 29049;
31757 (B) - Petition of Changing Spaces Moving, Inc., of Birmingham, Alabama, for cancellation of Motor Carrier Certificates F4550 & C3882.

Recommend: Grant cancellation as requested

DOCKET 32035 (B) - Petition of JAS Logistics L.L.C., of Goshen, Alabama, for cancellation of Motor Carrier Certificate F4704.

Recommend: Grant cancellation as requested

DOCKET 33465 (M) - Unopposed motor carrier application of Lonnie Franklin Paschall Jr d/b/a Lonnie's Personal Transportation, of Loxley, Alabama, for a certificate to transport passengers. The Applicant waived its right to a Report and Recommended Order.

Recommend: Grant

DOCKET 30446 (M) - Application of Stratus Networks, Inc., of Peoria, Illinois, for a Certificate to provide telecommunications services in the State of Alabama. A hearing was held on April 16, 2024, in which Commission Staff participated.

Recommend: Approval

DOCKET U-5213 (G) - Rate CPE (Contract for Purchased Energy). Southern Renewable Energy Association ("SREA") filed a Petition to Intervene and Application for Reconsideration and Modification of the Commission's order entered in this cause on March 5, 2024. Energy Alabama also filed a Petition to Intervene in that same matter. Alabama Power Company filed a Motion to Dismiss both petitions.

Recommend: Dismissal of SREA's Petition and Application due to untimeliness and a lack of legal standing. Dismissal of Energy Alabama's Petition as untimely.