



## 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

JOHN A. GARNER, EXECUTIVE DIRECTOR

### CHEROKEE WATERWORKS AND GAS BOARD

### IN RE: INSTITUTION OF INVESTIGATION

**Respondent**

**DOCKET 33612**

### ORDER INSTITUTING INVESTIGATION

#### BY THE COMMISSION:

Due to a scrivener's error in the date, this Decision takes the place of and is substituted for the Decision entered in this cause on September 10, 2025.

Between November 2024 and August 2025, the Commission's Gas Pipeline Safety Division ("GPS") conducted a standard investigations of the natural gas distribution facilities at the Cherokee Waterworks and Gas Board ("Cherokee") in Cherokee, Alabama. As a natural gas distribution operator, Cherokee is subject to the jurisdiction of the Commission pursuant to Ala. Code § 37-4-80 et seq. During the August 2024 investigation of its facilities, GPS Staff noted 17 violations of the safety provisions in 49 C.F.R. § 192. After repeated follow-up inspections and reissued citations, Cherokee addressed 12 of its 17 violations. However, after the most recent follow-up inspection, August 14, 2025, the following items were found to still be in non-compliance, which may pose a risk to public safety, system integrity, and regulatory compliance if not addressed promptly:

1. § 192.281(a) – Plastic pipe;
2. § 192.321(a) – Installation of plastic pipe;
3. § 192.727(a) – Abandonment or deactivation of facilities;
4. § 192.65(f)(1)(2) – Odorization of gas; and
5. § 192.723(b)(1)(2) – Distribution systems: Leak surveys.

Having considered the above violations and Cherokee's failure to respond, we find that an investigation into its operations is warranted, pursuant to Ala. Code §§ 37-4-83 and 37-4-87, to determine whether Cherokee should be fined and/or steps should be taken to cease the company's operation of natural gas distribution facilities.

IT IS SO ORDERED BY THE COMMISSION that Cherokee Waterworks and Gas Board shall appear at a hearing to be held on Wednesday, October 15, 2025 at 1:00 p.m. in the Commission's Carl L. Evans, Chief Administrative Law Judge Hearing Complex, at 100 North Union Street, Room 900, Montgomery, Alabama 36104, to demonstrate good cause why it should not be fined and/or steps should not be taken to cease the company's operation of natural gas distribution facilities.

IT IS FURTHER ORDERED that jurisdiction in this cause is hereby retained for the issuance of any further order or orders as this Commission may find just and reasonable in the premises.

IT IS FURTHER ORDERED that this Order shall be effective as of the date hereof.

DONE at Montgomery, Alabama, this 17<sup>th</sup> day of September, 2025.

ALABAMA PUBLIC SERVICE COMMISSION



Cynthia Lee Almond, President

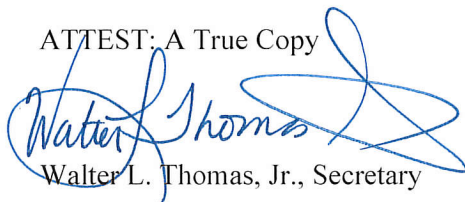


Jeremy H. Oden, Commissioner



Chris V. Beeker, III, Commissioner

ATTEST: A True Copy



Walter L. Thomas, Jr., Secretary