



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: September 6, 2022

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

FROM: Jeff Johnston, Director *JJ*
Utility Services Division

SUBJECT: Agenda for September 13, 2022 Commission Meeting.

The following items will be presented to the Commission during the regular September 13, 2022 Commission Meeting.

CONSUMER SERVICES REPORT

CONSUMER SERVICES ELECTRIC & GAS INQUIRIES

August

7/25/2022 - 8/24/2022

Company	Service Category	Total Inquiries	Service Outage Interruption	Service Quality	Service Connection	Service Disconnected	Billing Issues	Payment Issues	Request Info Only
Alabama Power	Residential	19	2	4	3	1	5	1	3
	Business			1					
Spire Alabama	Residential	3					1	1	1
	Business	1					1		
Spire Gulf	Residential	2					2		
	Business								
TOTAL	Residential	24	2	4	3	1	8	2	4
	Business	1		1					

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	4	3	1						
	Business									
CLEC	Residential									
	Business									
TOLL	Residential									
	Business									
OTHER	Residential	2								2
	Business									
Total Under PSC Complaint Jurisdiction		6	3	1						2

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	13		4	1	2	3	2		1
Business	2		1		1				
Total	15		5	1	3	3	2		1
Not Under PSC Jurisdiction	10		5		3		2		
Under PSC Jurisdiction	5			1		3			1

Other Retail Services/Issues Under PSC Jurisdiction (Above)	5
Basic Service Inquiries Under PSC Jurisdiction (Previous Page)	6
Total Telecom Inquiries Under PSC Jurisdiction (Non-referrals)	11
Inquiries Not Subject to PSC Jurisdiction	10

Referred Inquiries (Waived Complaint Jurisdiction)	
Residential	32
Business	4
TOTAL	36

TOTAL TELECOM INQUIRIES			
Under PSC Complaint Jurisdiction	Waived Complaint Jurisdiction (Referrals)	Received But Not Under PSC Jurisdiction	Total Received
11	36	10	57

Gas Agenda

NATURAL GAS

Docket 18046 and SPIRE ALABAMA INC. -- Division Report on Rate RSE as of July 31,
18328 2022

Based on preliminary figures at point-of-test July 31, 2022, the projected RSE return on average common equity for the rate year ending September 30, 2022, was 9.60 percent, which was below the authorized range and results in no adjustment to rates. 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 July 31, 2022

Based on preliminary figures as of July 31, 2022, the projected RSE return on average common equity for the rate year ending September 30, 2022, was 8.62 percent. The authorized return on average common equity is 9.70 to 10.30 percent.

Docket U-4002 BAY GAS STORAGE COMPANY, LTD. -- Application for Approval of Second and Third Amendments to Amended and Restated Firm Intrastate Transportation Service Agreement.

Recommend Approval.

Docket 32978 NEXTERA ENERGY PIPELINE HOLDINGS (LOWMAN), INC. -- Application for Approval to Change Name to NextEra Energy Pipeline (Lowman). LLC.

Recommend Approval.

Docket 18046 and SPIRE ALABAMA INC. -- Application for Approval to Suspend the
18328 Operation of the Accelerated Infrastructure (AIM) Program for Rate Years 2022 and 2033

Recommend Approval.

Utility Services Agenda
Monthly Commission Meeting
September 6, 2022
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Docket U-5430 SPIRE ALABAMA INC. -- Application for Approval to Issue and Sell
\$175,000,000 Principal Amount of Debt.
Recommend Approval.

Docket U-3609 SPIRE GULF INC. -- Application for Approval of Amended and Restated
Intercompany Revolving Credit Agreements with Spire Inc.
Recommend Approval.

Docket U-5429 SPIRE GULF INC. -- Application for Approval to Issue and Sell
\$30,000,000 Principal Amount of Debt.
Recommend Approval.

Water Agenda

WASTEWATER

Docket 32193 ESCAMBIA COMMUNITY UTILITIES, LLC -- Request to increase water service rates for residential and commercial customers. Staff has reviewed the filing and recommends that the filing be suspended for 180 days to and through March 30, 2023.

Recommend approval.

Docket 32873 ASBURY WATER SYSTEM, INC. -- Requests approval for water rate increase for all customers of Asbury Water System, Inc.; Staff has reviewed the filing and recommends that the filing be suspended for 180 days to and through March 30, 2023.

Recommend Approval.

Telecommunication Agenda

AMENDED INTERCONNECTION AGREEMENT (S)

- Docket U-4277 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and TELEPAK NETWORKS, INC. -
- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and Telepak Networks, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.
- Docket U-4406 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and HARBOR COMMUNICATIONS, LLC -- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and Harbor Communications, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.
- Docket U-5071 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and DOVETEL COMMUNICATIONS, LLC d/b/a SYNCGLOBAL -- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and DoveTel Communications, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.
- Docket U-5191 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and GEORGIA PUBLIC WEB, INC -- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and Georgia Public Web, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.

CERTIFICATION (S)

- Docket 25980 ALL ELIGIBLE TELECOMMUNICATIONS CARRIERS --
Implementation of the Universal Service Requirements of Section 54 Of the Telecommunications Act of 1996 and 47 C.F.R. § 54.314. All Eligible Telecommunications Carriers ("ETCs") for high cost Universal Service Funding seek certification of their eligibility and expenditure for the 2023 Universal Service Fund Connect America Fund and all high cost support. Recommend approval.

SUMMARY OF OTHER FILING (S)

- D-7749 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST -- Modifies the Access Services & Network Interconnection Services Tariff to comply with the Federal Communications Commission (FCC) Report and Order in WC Docket No. 18-156, FCC Release No. 20-143 issued October 9, 2020. These modifications reduce intercarrier compensation charges to increase efficiencies in call routing and decrease incentives for fraud in 8YY (toll-free) calls. Filed July 22, 2022, with a requested effective date of August 2, 2022.
- D-7750 TELEPORT COMMUNICATIONS AMERICA, LLC -- Modifies the Access Services Tariff to comply with the Federal Communications Commission (FCC) Report and Order in WC Docket No. 18-156, FCC Release No. 20-143 issued October 9, 2020. These modifications reduce intercarrier compensation charges to increase efficiencies in call routing and decrease incentives for fraud in 8YY (toll-free) calls. Filed July 22, 2022, with a requested effective date of August 2, 2022.
- D-7751 ONVOY, LLC -- Modifies the Switched Access Tariff as mandated by the Federal Communications Commission (FCC) Report and Order in WC Docket No. 18-156, FCC Release No. 20-143 issued October 9, 2020. These modifications reduce intercarrier compensation charges to increase efficiencies in call routing and decrease incentives for fraud in 8YY (toll-free) calls. Filed July 28, 2022, with a requested effective date of August 2, 2022.

- D-7752 NEUTRAL TANDEM-ALABAMA, LLC -- Modifies the Access Services Tariff to comply with the Federal Communications Commission (FCC) Report and Order in WC Docket No. 18-156, FCC Release No. 20-143 issued October 9, 2020. These modifications reduce intercarrier compensation charges to increase efficiencies in call routing and decrease incentives for fraud in 8YY (toll-free) calls. Filed July 28, 2022, with a requested effective date of August 2, 2022.
- D-7753 MCIMETRO ACCESS TRANSMISSION SERVICES LLC d/b/a VERIZON ACCESS TRANSMISSION SERVICES -- Modifies the Access Transmission Services Tariff Number 2 to comply with the Federal Communications Commission (FCC) Report and Order in WC Docket No. 18-156, FCC Release No. 20-143 issued October 9, 2020. These modifications reduce intercarrier compensation charges to increase efficiencies in call routing and decrease incentives for fraud in 8YY (toll-free) calls. Filed August 1, 2022, with a requested effective date of July 1, 2022.
- D-7754 CONSOLIDATED COMMUNICATIONS OF FLORIDA COMPANY, INC. -- Increases the Basic Local Exchange Service rate in the General Subscriber Services Tariff for business customers. The maximum increase based on the Consumer Price Index (CPI) for 2022 as permitted pursuant to the Code of Alabama, Section 37-2A-8(b)(2)a (1975, as amended) is 5.8%. However, this business line access rate increase is 3.6%. Filed August 4, 2022, with a requested effective date of September 1, 2022.



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MEMORANDUM

DATE: September 6, 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 September 13, 2022, Commission Meeting

This memorandum reflects activities of the Gas Pipeline Safety (GPS) Division that will be presented at the September 13, 2022, Commission Meeting.

- GPS performed the following inspections during the month of July 2022:

Standard Inspection	Construction	IMP/DIMP	Operator Qualification	Incident	Damage Prevention	Section 114	Control Room	Follow-Up	Total Inspections
15	3		8		5	10		3	44

From the forty-four (44) inspections shown above, six (6) enforcement letters of notification were issued, noting seven (7) non-compliance issues. Nine (9) non-compliance items were corrected during the month of July.

Incidents/Accidents

Two (2) state-reportable incidents were reported during the month of July:

- 7/11/2022 – Spire – Alabama (Montgomery) – Contractor struck an 8" high pressure main at Chantilly Parkway and Vaughn Road; no locate had been called for this particular work.
- 7/15/2022 – Spire – Alabama (Birmingham) – Contractor dug into 2" steel main; six customers without service; valid locate request, but no marks on ground.

Training

Two (2) operator/contractor training sessions on Polyethylene (PE) plastic fusion were conducted during the month of July:

- | | |
|---|------------------------|
| ➤ 7/7/2022 – South Alabama Utilities | 20 Personnel Qualified |
| ➤ 7/12/2022 – Cullman-Jefferson Gas Dist. | 19 Personnel Qualified |

Miscellaneous

Mr. Jonathan Kimbril, Pipeline Safety Investigations Supervisor, participated in “Successor Training” with Mr. Wallace Jones, Gas Pipeline Division Director on July 5 – 8, 2022. Mr. Jones has submitted his retirement request and Mr. Kimbril has an interest in applying for the Director’s position.

Mr. Jones attended his final meeting as a board member of the *Alabama Liquefied Petroleum Gas Board* on July 14, 2022. The new GPS Director, or someone else from the Public Service Commission, will fill the vacant position at a later date.

Mr. Jones, Mr. Kimbril, Mr. Greg Meadows, Pipeline Safety Investigations Supervisor, Ms. Asia Skillman, Engineering Graduate, Senior, and Mr. Shawn Emmons and Mr. Brett Cochran, Pipeline Safety Investigators, attended the Louisiana Pipeline Safety Conference in New Orleans, Louisiana on July 18 – 22, 2022. This conference included both Natural Gas and Hazardous Liquids regulation updates. The Alabama PSC’s GPS is a co-sponsor of this event each year and assists the Louisiana staff in various aspects of the conference.



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JOHN A. GARNER, EXECUTIVE DIRECTOR

MEMORANDUM

DATE: September 6, 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 September 13, 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 July 2022.

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
6	10	33	0	41	42

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

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
13	7	17	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
5	10	106	6	478

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

Air Brake Tests	Blue Flag Protection	End of Train Devices
1	0	0

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

1. A clarified oil release was reported in Birmingham on NS
2. A vehicle strike resulting in unknown injuries was reported in Creola on NS

Six of the inspections performed in July were performed jointly with Federal inspectors. Three of these inspections were performed by track inspectors who assisted in the training of the recently hired federal inspector for the Birmingham territory. The other three inspections were performed by MP&E. During one of those inspections, RWS and FRA inspectors discovered that a rail carrier was continuing to use a defective locomotive after being made aware that it was defective and should have been removed from service. The discovery resulted in six counts being recommended for violation.

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
14	7	3	2	5	6	69	43	23

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
292	19	10	5	40	39	276

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

UCR Applications		UCR Mailouts for 2022	UCR Audit Correspondence	UCR Inquiries	
Received	Returned			Phone	E-mail
1	1	168	2	41	7

As of July 31, there were 10,227 Alabama carriers (80%) registered for 2022 UCR with 2,536 that remain unregistered. Our office received funds from the UCR Depository for June online payments processed through the National Registration System (NRS) that came from 312 carriers that were domiciled in Alabama and some that were in non-participating states.

The staff also assisted motor carriers in making necessary changes to their operating status with the Federal Motor Carrier Safety Administration (FMCSA). There were four MCS-150 forms processed that

contained updates to carriers' USDOT number data.

MCS staff attended the UCR Board Finance Subcommittee call held in July.

The staff received 22 For Non-Profit (FNP) quarterly reports from FNP carriers for the second quarter of 2022.

At the beginning of July, staff mailed 25 certified delinquent letters to carriers that missed the annual report deadline. There were 27 annual reports for 2021 received during the month.

There was one household goods supplement tariff for **Lambert Transfer & Storage Inc. (C604)** and one household goods tariff for **All My Sons of Mobile LLC (NEW)** that were both accepted in July.

MCS staff, legal division staff and finance staff participated in a call with representatives from Lyft to discuss the audit of local assessment fees submitted to the APSC.

FIELD SERVICES

The Field Services Section (FSS) Staff inspected **Community Utilities of Alabama's** Chase Springs wastewater treatment facility located in Huntsville. This facility provides wastewater treatment for forty-eight residents. The system was functioning as designed with no discrepancies noted during the inspection.

The Ridge wastewater treatment plant managed by Bio-Flo Inc. was also inspected. This large-capacity system provides services for 420 seasonal residents. The ADEM permitted authority has increased from 60,000 gpd in 2019 to 100,000 gpd today to accommodate the residential growth. The system was functioning as designed with no discrepancies noted during this inspection.

Staff inspected **Hiwannee Water Association's** facilities which provide water to the thirty-two residents of Isney, AL. All visible aspects of their plant appeared in proper working order with no discrepancies noted during this inspection.



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September 6, 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 – September 13, 2022 Commission Meeting

The Electricity Policy Division will present the following items at the September 13, 2022 Commission Meeting.

ELECTRICITY

ALABAMA POWER COMPANY

Dockets 18117 Division Report on Rate RSE and Rate ECR as of July 31, 2022
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
2022 Weighted Return on Average Retail Common Equity (WRRCE),
actualized through July 2022, can be found on page 2 of this report.

Rate RSE Forecast		Rate ECR Summary
12 Months Ending DECEMBER 31, 2022		Energy Cost Over/(Under) Recovered for JULY 2022
6.83% WRRCE		(\$111,206,583)

*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, 2022

Common Equity as of July 31, 2022		\$11,553,901,713
Add Budgeted Net Income:		
August through December 2022	\$528,812,894	
Add Budgeted Capital Contributions:		
August through December 2022	\$27,280,363	
Add Other Adjustments:		
August through December 2022	\$0	\$556,093,257
Deduct Budgeted Stock Dividends:		
August through December 2022	\$270,420,667	\$270,420,667
Projected Common Equity for December 31, 2022		\$11,839,574,304
<hr/>		
Projected Average Common Equity		
For the 12 Months Ending December 31, 2022		\$11,554,416,413
Projected Retail Investment Separation Factor		95.06%
Projected Average Retail Common Equity		
For the 12 Months Ending December 31, 2022		\$10,983,628,243
Projected Retail Net Income		
For the 12 Months Ending December 31, 2022		\$1,409,734,023
Projected Common Equity Percentage of Capital Structure		
For the 12 Months Ending December 31, 2022		53.19%
Projected Weighted Return on Average Retail Common Equity (WRRCE)		
For the 12 Months Ending December 31, 2022		6.83%

The Common Equity as of July 31, 2022 (Actual) was adjusted using net income, payment of Common Stock and Preferred Stock dividends, Capital Contributions, and Other Adjustments from the Company's 2022 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 95.06%. The retail net income (RNI) for average common equity and the common equity percentage (CEP) were calculated by using actual data for the seven months ended July 31, 2022, and then adding five months of budget data for August through December 2022. 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.

ELECTRICITY POLICY DIVISION AGENDA

September 13, 2022 Commission Meeting

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Docket U-4553 Alabama Power Company is requesting to freeze Rates LPLE, LPME and LPSE (Restricted Light and Power Service – Large, Medium, and Small), effective with the entry of an order by the Commission. The Company is making this request because the pricing signals of the all-electric Rates (LPLE, LPME and LPSE) no longer align with the prevailing seasonal nature of Alabama Power's operations.

Rates LPLE, LPME and LPSE are what Alabama Power calls “all-electric rates”, as they are intended for customers whose total energy requirements for lighting, power, space cooling, and space heating are supplied electrically through one meter.

Recommendation: Approval

Docket U-5397 On August 29, 2022, Alabama Power Company filed with the Alabama Public Service Commission a petition seeking an amendment of the Order issued in this docket on September 14, 2021. Alabama Power Company is requesting to increase the maximum aggregate principal amount or stated value of additional securities and industrial development revenue bonds authorized to be issued or incurred to \$4 billion. Alabama Power Company currently has authority in place to issue certain securities and incur obligations under industrial development bonds in an aggregate amount not to exceed \$2.5 billion through 2023.

Recommendation: Approval



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MEMORANDUM

DATE: September 6, 2022

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

FROM: Legal Division

SUBJECT: Agenda - September 13, 2022 Commission Meeting

The Legal Division will present the following at the September 13, 2022
Commission Meeting:

DOCKET C-20305 (Y) - Petition of AAAnd... We Ride LLC, of Irvington, Alabama, for reinstatement of Motor Carrier Certificate 4094 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

Recommend: Grant/Reinstatement

DOCKET 33274 (Y) - Show Cause proceeding for motor carriers who failed to file annual reports for 2021 operations. (*Alabama Public Service Commission v. All Motor Carriers who failed to file Annual Reports for 2021 operations*).

Recommend: Issuance of order establishing show cause hearing for all motor carriers who failed to file Annual Reports for 2021 operations.

LEGAL DIVISION AGENDA

September 13, 2022 Commission Meeting

September 6, 2022

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DOCKET 33243 (Y) - Motor carrier application of AL Transit, LLC, of Center Point, Alabama, for a Certificate to transport passengers. A Report and Recommended Order ("RRO") was entered in this cause on August 15, 2022, which recommended the application be denied. No exceptions to the RRO were filed within 20 days from the date of service.

Recommend: Entry of an order recognizing that the RRO entered in this cause became the order of the Commission by operation of law due to the fact that no Exceptions to the RRO were filed within the statutorily established timeframe of 20 days.

DOCKET C-20320 (B) - Petition of J Nix Trucking LLC, of Thorsby, Alabama, for reinstatement of Motor Carrier Certificate F4800 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-20100 (B) - Petition of Hawk Transportation LLC, of Parsippany, New Jersey, to change its company name to Standard Logistics Transportation LLC, and to reinstate Motor Carrier Certificate F5051 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

Recommend: Grant/Reinstatement in new company name

DOCKET 33231 (B) - APSC v. Delinquent Companies (that filed to timely pay inspection/supervision fees). The Commission has received the inspection and supervision fee and late fee from Cathect Communications, Inc.

Recommend: Reinstatement of Cathect Communications, Inc.

DOCKET 33192 (B) - The Commission conducted a generic proceeding to determine whether certain unregulated water providers met the statutory definition of "utility," subjecting them to Commission regulation. Following a comment period, on June 27, 2022, the Commission issued an order clarifying the criteria for utility status and finding that several water providers that participated in this proceeding are not public utilities. That order also required that each of the identified water providers which failed to submit sufficient documentation during this proceeding either file for a certificate of convenience and necessity as a public utility or submit evidence that it is not a public utility. As a result of that order, two additional water providers submitted documentation.

Recommend: Issue an order finding that, based on provided documents, Freemanville Water System, Inc. and Mexia Water System, Inc. are not public utilities and therefore not subject to Commission regulation.

DOCKET 30494 (B) - Central Water Works, Inc. ("Central Water") requests a finding that it is not subject to regulation by the Commission. In support of this request, Central Water provided documentation to show that it is a non-profit corporation that provides water service only to its own members, not to the general public. It also submitted its corporate governance documents as evidence that its members elect and may remove its board members.

Recommend: Issue an order finding that, based on provided documents, Central Water Works, Inc. is not a public utility and therefore not subject to Commission regulation.

DOCKET 33261 (B) - Application of Accelecom GA LLC, of Louisville, Kentucky, for a Certificate to provide telecommunication service in the State of Alabama. A hearing was held on August 9, 2022, in which Commission Staff participated.

Recommend: Grant

DOCKET 33260 (B) - Application of EarthGrid PBC Corporation, of Richmond, California, for a Certificate to provide telecommunications service in the State of Alabama. A hearing was held on August 9, 2022, in which Commission Staff participated.

Recommend: Grant

LEGAL DIVISION AGENDA

September 13, 2022 Commission Meeting

September 6, 2022

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DOCKET 33276

(M) - On November 15, 2021, President Biden signed into law the Infrastructure Investment and Jobs Act of 2021 ("IIJA 2021"). Specifically, IIJA 2021 amends the Public Utility Regulatory Policies Act of 1978 ("PURPA") Section 111(d) directing states to consider: 1) the promotion of cost recovery of demand-response and demand flexibility practices (IIJA 2021 §40104) and 2) the promotion of greater electrification of the transportation sector (IIJA 2021 §40431).

Recommend: Entry of an order instituting a generic proceeding so that comments can be sought and considered by the Commission on whether it should adopt the standards set forth in §§40104 and 40431 of IIJA 2021. Staff also recommends a 60-day comment cycle with comments due by or around November 12, 2022.