



## 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 V. BEEKER, III, ASSOCIATE COMMISSIONER

### MEMORANDUM

DATE: December 30, 2024

TO: Commissioner Twinkle Andress Cavanaugh  
Commissioner Jeremy H. Oden  
Commissioner Chris V. Beeker, III

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

SUBJECT: Agenda for January 7, 2025 Commission Meeting.

The following items will be presented to the Commission during the regular January 7, 2025 Commission Meeting.

# **CONSUMER SERVICES REPORT**

## CONSUMER SERVICES ELECTRIC & GAS INQUIRIES

December

Company	Service Category	Total Inquiries	Service Outage Interruption	Service Quality	Service Connection	Service Disconnected	Billing Issues	Payment Issues	Request Info Only
<b>Alabama Power</b>	Residential	<b>16</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>3</b>	<b>1</b>
	Business								
<b>Spire Alabama</b>	Residential	<b>1</b>					<b>1</b>		
	Business								
<b>Spire Gulf</b>	Residential								
	Business								
<b>TOTAL</b>	Residential	<b>17</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>3</b>	<b>5</b>	<b>3</b>	<b>1</b>
	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									
	Business									
CLEC	Residential									
	Business									
TOLL	Residential									
	Business									
OTHER	Residential									
	Business									
Total Under PSC Complaint Jurisdiction		0								

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

Other Retail Services/Issues Under PSC Jurisdiction <b>(Above)</b>	0
Basic Service Inquiries Under PSC Jurisdiction <b>(Previous Page)</b>	0
Total Telecom Inquiries Under PSC Jurisdiction <b>(Non-referrals)</b>	0
Inquiries Not Subject to PSC Jurisdiction	2

Referred Inquiries (Waived Complaint Jurisdiction)	
Residential	5
Business	0
<b>TOTAL</b>	<b>5</b>

TOTAL TELECOM INQUIRIES			
Under PSC Complaint Jurisdiction	Waived Complaint Jurisdiction (Referrals)	Received But Not Under PSC Jurisdiction	Total Received
0	5	2	7

**Gas Agenda**

**NATURAL GAS**

Docket 18046 and SPIRE ALABAMA INC. -- Division Report on Rate RSE as of November  
18328 30, 2024

Based on preliminary figures as of November 30, 2024, the projected RSE return on average common equity for the rate year ending September 30, 2025, was 9.90 percent. 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 November 30,  
2024

Based on preliminary figures as of November 30, 2024, the projected RSE return on average common equity for the rate year ending September 30, 2025, was 10.20 percent. The authorized return on average common equity is 9.70 to 10.30 percent.

Docket U-5477 SPIRE ALABAMA INC. -- Application for Approval of Base Contract for  
Sale and Purchase of Natural Gas with Gunvor USA LLC  
Recommend Approval

**Water Agenda**

**WATER**

Docket 29120      **PLANTATION WATER SYSTEM** -- Petition to increase residential water rates for Plantation Water System.  
Recommend approval.

**Telecommunication Agenda**

**INTERCONNECTION AGREEMENT (S)**

- Docket U-5476     BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and BIF IV INTREPID OPCO LLC -  
- Approval of an Interconnection Agreement between BellSouth Telecommunications, LLC. d/b/a AT&T Alabama or AT&T Southeast and BIF IV Intrepid OpCo LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.  
Recommend Approval.



**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><b>DECEMBER 2024 ELECTIONS:</b></p> <p><b>NONE</b></p> <p><b>PRIOR ELECTIONS:</b></p> <p>ACN Communications Services, Inc.</p> <p>BellSouth Telecommunications, LLC d/b/a AT&amp;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>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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CHRIS V. BEEKER, III., ASSOCIATE COMMISSIONER

**MEMORANDUM**

**DATE:** December 20, 2024

**TO:** President Twinkle Andress Cavanaugh  
Commissioner Jeremy H. Oden  
Commissioner Chris V. Beeker, III.

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

**SUBJECT:** Agenda for January 7<sup>th</sup>, 2025, Commission Meeting

The following items will be presented to the Commission during the regular January 7, 2025, Commission Meeting.

**GAS PIPELINE SAFETY DIVISION ACTIVITIES**  
**November 2024**

**Inspections**

During the month of November, a total of forty-two (42) inspections were conducted utilizing ninety-five (95) 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	10	10	1	1	3					4	
	MASTER METER											
	LIQUID PROPANE (LP)											
	LIQUIFIED NATURAL GAS (LNG)											
	INTRASTATE TRANSMISSION	5									1	
	GAS GATHERING											
	OFFSHORE GAS											
LIQUID PIPELINE SYSTEMS	REFINED PETROLEUM PRODUCTS	1			1							
	CRUDE OIL										1	
	HVL FLAMMABLE / TOXIC											
	CARBON DIOXIDE											
	BIOFUEL											
TOTALS		16	13	1	2	3					7	42

**Training**

Three (3) operator/contractor training session on Polyethylene (PE) plastic fusion and zero (0) fire response training were conducted in November:

➤ 11/6/2024	Trussville Utilities	PE	40	Personnel Trained
➤ 11/13/2024	Northwest AL Gas Dist.	PE	21	Personnel Trained
➤ 11/19/2024	Leak City	PE	11	Personnel Trained

**Enforcement Actions**

From the forty-two (42) inspections shown above, seven (7) enforcement letters of notification were issued noting thirty-nine (39) non-compliance issues. There was one (1) non-compliance items corrected during the month of November.

**Incidents / Accidents**

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

**Miscellaneous**

Gas Pipeline Safety (GPS) has nothing to note for the month of November.



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JOHN A. GARNER, EXECUTIVE DIRECTOR

### **MEMORANDUM**

**DATE:** December 27, 2024

**TO:** President Twinkle Andress Cavanaugh  
Commissioner Jeremy H. Oden  
Commissioner Chris V. Beeker, III

**FROM:** Amanda D. Shehane, Director ~~ADB~~  
Utility Enforcement Division

**SUBJECT:** Agenda for the January 7, 2025, Commission Meeting

This memorandum reflects the Utility Enforcement Division's (UED) report describing the major tasks, inspections, and activities accomplished by its staff during November 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
7	12	7	1	15	1

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

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
0	5	6	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	85	0	528

The table below shows the Operating Practices (OP) inspections performed on railroad operations.

Rail Carriers Visited	Regular OP Inspections	Defects Identified	Violations Recommended	Eqpt. Securement Observed
3	10	11	2	32

The table below shows observations completed by the MP&E and OP Inspectors in which no non-compliant conditions were identified.

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

The data below reflects both track and MP&E inspectors' record inspection reviews on railroad inspections, repair records, and highway grade crossings.

	<b>Track Inspection Records</b>	<b>MP&amp;E Railcar &amp; Locomotive Repair Records</b>	<b>Highway Grade Crossings</b>
<b>Inspections</b>	5	2	3
<b>Units Inspected</b>	54	62	37
<b>Defects</b>	0	0	0

The National Response Center (NRC) reported eight incidents in November:

1. A trespasser strike with fatal injuries in Salem on **NS**.
2. A derailment with a release of plastic pellets in Talladega on **EARY**.
3. A hazmat release (sulfuric acid) in Montgomery on **CSX**.
4. A deceased body was found near the tracks (no railroad incident) in Athens on **CSX**.
5. A trespasser strike with fatal injuries in Bessemer on **NS**.
6. A hazmat release (500 gallons of diesel fuel) in Prattville on **AUT**.
7. A vehicle strike resulted in unknown injuries to the vehicle operator and railroad conductor in Mount Vernon on **NS**.
8. A derailment with a release of plastic pellets in Georgiana on **THNR**.

### **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>
15	14	1	2	10	6	54	58	23

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>
252	20	10	2	37	38	65

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
5	1	55	7	45	11

As of November 30<sup>th</sup>, 3,581 Alabama carriers (42%) were registered for 2025 UCR with 4,993 remaining unregistered. Our office received funds from the UCR Depository for October online payments processed through the National Registration System (NRS) that came from 3,042 carriers domiciled in Alabama and in non-participating states.

MCS staff attended a UCR call to give feedback regarding the Standards & Best Practices Course Review which is part of the UCR Learning Management System the UCR Board is creating.

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. One motor carrier had its USDOT number deactivated. Three forms contained updates to the motor carriers' USDOT number data.

There were four For Non-Profit (FNP) quarterly reports received from FNP carriers for the third quarter, one for the second quarter, and one for the first quarter of 2024.

In November, passenger tariffs for **Johnny On The Spot Car Service LLC (C4168)** and **Inspirational NEMT Services, LLC (C4160)** were received and accepted. Additionally, one passenger supplement for **Angel Wing's Transport, L.L.C. (C4163)** was accepted.

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

- **DTB of Alabama LLC**
- **Wheelcare, L.L.C.**

One desk audit was completed on the following household goods carrier:

- **Applewhite Movers LLC (C4119)** – Several issues were found, and the carrier was advised to follow its current tariff or submit a new tariff/supplement.



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**December 27, 2024**

**MEMORANDUM**

**TO: President Twinkle Andress Cavanaugh  
Commissioner Jeremy H. Oden  
Commissioner Chris V. Beeker, III**

**FROM: John D. Free, Director *JDF*  
Electricity Policy Division**

**SUBJECT: Agenda – January 7, 2025 Commission Meeting**

The Electricity Policy Division will present the following items at the January 7, 2025 Commission Meeting.

**ELECTRICITY**

**ALABAMA POWER COMPANY**

**Dockets** 18117 Division Report on Rate RSE and Rate ECR as of November 30, 2024

and  
18416; The Electricity Policy Division performed the regular monthly  
18148 examination 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 November 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 NOVEMBER 2024	
6.43% WRRCE		\$20,363,352	

\*The authorized Weighted Return on Average Retail Common  
Equity Range is 5.75% - 6.15%.



# ELECTRICITY POLICY DIVISION AGENDA

January 7, 2025 Commission Meeting

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## 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 November 30, 2024		\$13,039,696,845
Add Budgeted Net Income:		
December 2024	\$109,576,803	
Add Budgeted Capital Contributions:		
December 2024	\$8,300,695	
Add Other Adjustments:		
December 2024	\$0	\$117,877,498
Deduct Budgeted Stock Dividends:		
December 2024	\$0	\$0
Projected Common Equity for December 31, 2024		\$13,157,574,343
<hr/>		
Projected Average Common Equity		
For the 12 Months Ending December 31, 2024		\$12,875,979,514
Projected Retail Investment Separation Factor		95.28%
Projected Average Retail Common Equity		
For the 12 Months Ending December 31, 2024		\$12,268,233,281
Projected Retail Net Income		
For the 12 Months Ending December 31, 2024		\$1,480,486,159
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		6.43%

The Common Equity as of November 30, 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 95.28%. The retail net income (RNI) for average common equity and the common equity percentage (CEP) were calculated by using actual data for the eleven months ended November 30, 2024, and then adding one month of budget data for 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.

## ELECTRICITY POLICY DIVISION AGENDA

January 7, 2025 Commission Meeting

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### **Dockets** U-5024

On December 20, 2024, Alabama Power Company (the “Company”) filed a petition seeking to modify Rate BTAL (Business Time Advantage – Large). The Company proposes to include language that acknowledges its right to negotiate terms and conditions in the contract for electric service that customers taking service under the rate typically execute if the service request reflects a load obligation in excess of 30,000 kVA. The Company’s filing letter explains that comparable language exists in other rate schedules used for large load customers. The Company also notes that consistent with the requirements of the *Code of Alabama*, such negotiated terms and conditions would be subject to Commission approval.

**Recommendation:** Approval.



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JOHN A. GARNER, EXECUTIVE DIRECTOR

**MEMORANDUM**

DATE: December 20, 2024

TO: Commission President Twinkle Andress Cavanaugh  
Commissioner Jeremy H. Oden  
Commissioner Chris V. Beeker, III.  
Division Directors

FROM: Legal Division

SUBJECT: Agenda - January 7, 2025 Commission Meeting

The Legal Division will present the following at the January 7, 2025  
Commission Meeting:

**DOCKET 32451** (B) - Petition of New Line Transport, LLC d/b/a Tri State Carriers, of  
Miami, Florida, for cancellation of Broker License B-34.

**Recommend:** Grant cancellation as requested.

**DOCKET C-21111** (B) - Petition of G4 Hauling and Excavation, LLC, of Valley Head,  
Alabama, for approval of cargo self-insurance.

**Recommend:** Approve

**DOCKET 33048** (B) - Petition of Dutton Investments, LLC d/b/a College Hunks Hauling  
Junk & Moving, of Daphne, Alabama, for cancellation of Motor Carrier  
Certificate 4114.

**Recommend:** Grant cancellation as requested.

LEGAL DIVISION AGENDA

January 7, 2025 Commission Meeting

December 20, 2024

PAGE #2

**DOCKET C-21072; 33222** (B) - Petition of Danny E Beck d/b/a D&H Trucking of Letohatchee, Alabama, for cancellation of Motor Carrier Certificate F5319 (Docket 33222). Motor Carrier Certificate F5319 was revoked by Commission Order dated November 5, 2024, due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage (Informal Docket C-21072).

**Recommend:** Reinstatement of Motor Carrier Certificate F5319 (Informal Docket C-21072) for the sole purpose of cancelling Motor Carrier Certificate F5319 in good standing. Grant cancellation as requested (Docket 33222).

**DOCKET C-21069** (B) - Petition of Jeff's Mobile Home Transporters, Inc., of Wilmer, Alabama, for reinstatement of Motor Carrier Certificate F3024 which was revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage.

**Recommend:** Grant/Reinstatement

**DOCKET 27256** (G) - Petition of Farmer's Telecommunications Corporation ("FTC") for designation as an Eligible Telecommunications Carrier ("ETC") solely for the purpose of offering Lifeline Service in Alabama.

**Recommend:** Grant