



**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: June 7, 2022

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

FROM: Jeff Johnston, Director   
Utility Services Division

SUBJECT: Agenda for June 14, 2022 Commission Meeting.

The following items will be presented to the Commission during the regular June 14, 2022 Commission Meeting.

# **CONSUMER SERVICES REPORT**

## CONSUMER SERVICES ELECTRIC & GAS INQUIRIES

May

4/22/2022 - 5/24/2022

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>8</b>		1	1	1	4		1
	Business	<b>1</b>		1					
<b>Spire Alabama</b>	Residential	<b>2</b>					2		
	Business								
<b>Spire Gulf</b>	Residential	<b>1</b>				1			
	Business								
<b>TOTAL</b>	Residential	<b>11</b>		<b>1</b>	<b>1</b>	<b>2</b>	<b>6</b>		<b>1</b>
	Business	<b>1</b>		<b>1</b>					

**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	1	1							
	Business									
TOLL	Residential									
	Business									
OTHER	Residential									
	Business									
<b>Total Under PSC Complaint Jurisdiction</b>		<b>1</b>	<b>1</b>							

**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	3		1				1		1
Business	1					1			
Total	4		1			1	1		1
Not Under PSC Jurisdiction	2		1				1		
Under PSC Jurisdiction	2					1			1

Other Retail Services/Issues Under PSC Jurisdiction (Above)	2
Basic Service Inquiries Under PSC Jurisdiction (Previous Page)	1
Total Telecom Inquiries Under PSC Jurisdiction (Non-referrals)	3
Inquiries Not Subject to PSC Jurisdiction	2

Referred Inquiries (Waived Complaint Jurisdiction)	
Residential	12
Business	0
<b>TOTAL</b>	<b>12</b>

TOTAL TELECOM INQUIRIES			
Under PSC Complaint Jurisdiction	Waived Complaint Jurisdiction (Referrals)	Received But Not Under PSC Jurisdiction	Total Received
3	12	2	17

Gas Agenda

NATURAL GAS

Docket 18046 and SPIRE ALABAMA INC. -- Division Report on Rate RSE as of April 30,  
18328 2022

At point-of-test April 30, 2022, the projected RSE return on average common equity for the rate year ending September 30, 2022, was 9.53 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 April 30, 2022

At point-of-test April 30, 2022, the projected RSE return on average common equity for the rate year ending September 30, 2022, was 8.79 percent, which was below the authorized range and results in no adjustment to rates. The authorized return on average common equity is 9.70 to 10.30 percent.

**Telecommunication Agenda**

**INTERCONNECTION AGREEMENT (S)**

- Docket U-5422 **BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and TELIAX, INC.** -- Approval of an Interconnection Agreement between BellSouth Telecommunications, Inc d/b/a AT&T Alabama or AT&T Southeast and TeliAx, Inc pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.  
Recommend Approval.
- Docket U-5423 **COMMUNICATIONS VENTURE CORPORATION d/b/a INDIGITAL and WINDSTREAM ALABAMA, LLC** -- Approval of an Interconnection Agreement between Windstream Alabama, LLC and Communications Venture Corporation d/b/a Indigital pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.  
Recommend Approval.
- Docket U-5424 **BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and FRONTIER COMMUNICATIONS OF THE SOUTH, LLC** -- Approval of an Interconnection Agreement between BellSouth Telecommunications, Inc d/b/a AT&T Alabama or AT&T Southeast and Frontier Communications of the South, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.  
Recommend Approval.

**AMENDED INTERCONNECTION AGREEMENT (S)**

- Docket U-3943 **BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and LEVEL 3 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 Level 3 Telecom of Alabama, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.  
Recommend Approval.

Docket U-4450 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST, and CENTURYLINK COMMUNICATIONS, LLC d/b/a CENTURYLINK and CENTURYLINK COMMUNICATIONS, LLC d/b/a LUMEN, D/B/A LUMEN TECHNOLOGIES, D/B/A LUMEN TECHNOLOGIES GROUP --  
Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and CenturyLink Communications, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Recommend Approval.

Docket U-4585 ACN COMMUNICATION SERVICES, LLC and BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST -- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and ACN Communication Services, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Recommend Approval.

Docket U-4865 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and LEVEL 3 TELECOM OF ALABAMA, LLC -- Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and Level3 Telecom of Alabama, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Recommend Approval.

#### PETITION (S)

Docket 13514 FARMERS TELECOMMUNICATIONS COOPERATIVE, INC. --  
Approval of a Petition to amend the existing Certificate of Public Convenience and Necessity authorizing extension of service to an area that has never been included in the incumbent local exchange service of any other carrier authorized by the Commission. This will provide enhanced service to existing and future residents in the area. No consumers will be negatively affected.

Recommend Approval.



**SUMMARY OF OTHER FILING (S)**

- D-7724 NATIONAL TELEPHONE OF ALABAMA, INC. -- Increases the rate for residential Basic Local Exchange Service by 17.3 percent, as authorized in the Communications Reform Act. Under the Communications Reform Act, local exchange carriers may increase the rate for basic exchange telephone service up to the annual percentage change in the Consumer Price Index (CPI) and may make a cumulative increase for years not adjusted. The company's last CPI increase was in 2018. The CPI increase for 2019 was 6.9 percent; 2020 was 4.6 percent; and 2021 was 5.8 percent. Filed May 5, 2022, with a requested effective date of July 1, 2022.
- D-7725 ROANOKE TELEPHONE COMPANY d/b/a TEC -- Increases the rate for residential Basic Local Exchange Service by 17.3 percent, as authorized in the Communications Reform Act. Under the Communications Reform Act, local exchange carriers may increase the rate for basic exchange telephone service up to the annual percentage change in the Consumer Price Index (CPI) and may make a cumulative increase for years not adjusted. The company's last CPI increase was in 2018. The CPI increase for 2019 was 6.9 percent; 2020 was 4.6 percent; and 2021 was 5.8 percent. Filed May 5, 2022, with a requested effective date of July 1, 2022.
- D-7726 NATIONAL TELEPHONE COMPANY OF ALABAMA, INC., d/b/a CHEROKEE TELEPHONE COMPANY -- Revises language in the General Subscriber Services Tariff to reflect changes in how telephone directories will be published and accessed by the public. Filed May 10, 2022 with a requested effective date of July 1, 2022.
- D-7727 ROANOKE TELEPHONE COMPANY d/b/a TEC -- Revises language in the General Subscriber Services Tariff to reflect changes in how telephone directories will be published and accessed by the public. Filed May 10, 2022 with a requested effective date of July 1, 2022.



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**MEMORANDUM**

**DATE: June 7, 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 June 14, 2022, Commission Meeting**

This memorandum reflects activities of the Gas Pipeline Safety (GPS) Division that will be presented at the June 14, 2022, Commission Meeting.

➤ GPS performed the following inspections during the month of April 2022:

Standard Inspection	Construction	IMP/DIMP	Operator Qualification	Incident	Damage Prevention	Section 114	Control Room	Follow-Up	Total Inspections
19	13	2	6	1		2		3	46

From the forty-six (46) inspections shown above, three (3) enforcement letters of notification were issued, noting four (4) non-compliance issues. One (1) non-compliance item was corrected during the month of April.

**Incidents/Accidents**

Three (3) state-reportable incidents were reported during the month of April:

- 4/16/2022 – Spire – Alabama (Moody) – Lightning struck a tree and followed roots to plastic service line; burned two 5/8” plastic service lines
- 4/18/2022 – Spire – Alabama (Birmingham) – Leak on 2 ¼” cast iron main; resulted in outage to 26 residential customers
- 4/18/2022 – Spire – Alabama (Tuskegee) – Lightning strike resulted in burn hole in 2” plastic main; leak ignited and burned approximately 2 hours

4/13/2022 – Williams (Transco) (interstate) – Investigators responded to an explosion on Williams’ pipeline in Sweet Water, AL; after responding, it was determined to be a non-jurisdictional pipeline for Alabama and PHMSA took over the investigation.

## **Training**

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

- 4/13/2022 – Cullman-Jefferson Gas & Contractors 29 Personnel Qualified
- 4/19/2022 – Leak City (Athens) 23 Personnel Qualified

## **Miscellaneous**

Mr. Wallace Jones, Gas Pipeline Safety (GPS) Division Director, Mr. Greg Meadows, Mr. Daniel Trapp and Mr. Jonathan Kimbril, Pipeline Safety Investigations Supervisors attended the 2022 National Association of Pipeline Safety Representatives (NAPSR) Southern Region Conference in Lexington, Kentucky on April 11 – 15, 2022. Representatives from all the Southern Region states (North Carolina, South Carolina, Florida, Alabama, Mississippi, Tennessee, Georgia and Kentucky) and Puerto Rico were in attendance to discuss updates to the Federal regulations. Several new statutes and laws have come out in recent months, and this led to some very informative topics. The Pipeline and Hazardous Materials Safety Administration (PHMSA) has several speakers on hand to answer questions.

The annual audit by PHMSA of the GPS hazardous liquid program was scheduled for the week of April 25<sup>th</sup>, but due to illness the PHMSA representative was unable to travel. Since the intended operator had personnel coming in from out-of-state, Mr. David Appelbaum, State Evaluator, chose to conduct a virtual inspection with Mr. Kimbril and his crew at Plains Pipeline in the Mobile area. The virtual inspection worked very well, and Mr. Appelbaum was able to complete that segment of his audit. The final segments will be conducted in the GPS offices during the week of May 9<sup>th</sup>.



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JOHN A. GARNER, EXECUTIVE DIRECTOR

### MEMORANDUM

**DATE:** June 3, 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 June 14, 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 April 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
4	25	119	1	341	230

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
23	17	9	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
8	15	71	0	479

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
0	1	0

There were three incidents reported by the National Response Center (NRC) in April:

1. An employee fatality (believed to be natural causes) was reported in Birmingham on CSX
2. A vehicle was struck at a crossing with no injuries in Anniston on NS
3. A vehicle was struck at a crossing with unknown injuries in Bessemer on NS

Track inspectors Mr. Heath Thompson and Mr. Chris Hester attended the FRA Track Symposium and completed their required FRA Recurrent Training in St. Louis, MO during the week of April 4th. The FRA initiated a system-wide focused inspection across all NS properties. Track inspectors completed their inspections during the weeks of April 18th and 25th. All the NS properties in Alabama were inspected by either state or federal inspectors during that time.

**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
16	10	5	1	7	6	86	50	30

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
247	28	12	4	20	33	232

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
6	0	183	4	69	14

As of April 30, there were 9,498 Alabama carriers (78%) registered for 2022 UCR with 2,756 that remain unregistered. Our office received funds from the UCR Depository for March online payments processed through the National Registration System (NRS) that came from 594 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 six MCS-150 forms processed indicating that three motor carriers' USDOT numbers were deactivated and three forms contained updates to carriers' USDOT number data.

MCS staff attended the UCR Board call and the UCR Board Audit Subcommittee call that were held in April.

The staff received 17 For Non-Profit (FNP) quarterly reports from FNP carriers for the first quarter of 2022.

There were 47 annual reports for 2021 received in April.

In April, there were two emergency fuel surcharge supplements granted for one month to **Armstrong Relocation Company, Huntsville, LLC (C3589)** and **Armstrong Transfer & Storage Co., Inc. d/b/a Armstrong Relocation (C618)**.

A few UED staff and legal division staff met with a representative from Alabama Law Enforcement Agency (ALEA) to discuss APSC transportation rules and regulations. ALEA is assisting with the rule-making process for the Alabama Medical Cannabis Commission. Staff discussed what intrastate authority requirements are and how they would relate to transporters of medical cannabis in the state of Alabama.

### **FIELD SERVICES**

The Field Services Section (FSS) staff inspected **Community Utilities** facilities used to provide wastewater treatment for five residents of The Preserve at Lake Mitchell. The system appeared in good condition with no discrepancies noted during the inspection.

Staff also inspected nine cluster systems providing wastewater treatment for Windemere Cove RV Resort residents located in Section, AL managed and maintained by **O'Brien Environmental**. The systems were in overall good condition with no major issues noted at the time of the inspection.

While on site at Windemere Cove, water facilities managed by **Lakeside Leisure LLC** providing potable water to the residents were also inspected. No discrepancies were noted during this inspection.

Staff visited **Central Water Works** just south of Flomaton to inspect facilities providing potable water to 175 Alabama residents. While the system took two major lightning strikes to a 6-inch main, both strikes causing major water loss, the system was repaired in record time and no visible defects were noted at the time of this inspection.



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**June 7, 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 – June 14, 2022 Commission Meeting**

The Electricity Policy Division will present the following items at the June 14, 2022 Commission Meeting.

**ELECTRICITY**

**ALABAMA POWER COMPANY**

**Dockets 18117** Division Report on Rate RSE and Rate ECR as of March 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 March 2022, can be found on page 2 of this report.

Rate RSE Forecast	Rate ECR Summary
<b>12 Months Ending            DECEMBER 31, 2022</b>  <b>6.34%</b> <b>WRRCE</b>	<b>Energy Cost Over/(Under)            Recovered for            MARCH 2022</b>  <b>(\$1,528,936)</b>

\*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 March 31, 2022		\$11,445,519,501
Add Budgeted Net Income:		
April through December 2022	\$983,985,572	
Add Budgeted Capital Contributions:		
April through December 2022	\$54,560,727	
Add Other Adjustments:		
April through December 2022	\$0	\$1,038,546,298
Deduct Budgeted Stock Dividends:		
April through December 2022	\$803,931,259	\$803,931,259
Projected Common Equity for December 31, 2022		\$11,680,134,540
<hr/>		
Projected Average Common Equity		
For the 12 Months Ending December 31, 2022		\$11,458,309,114
Projected Retail Investment Separation Factor		95.06%
Projected Average Retail Common Equity		
For the 12 Months Ending December 31, 2022		\$10,892,268,644
Projected Retail Net Income		
For the 12 Months Ending December 31, 2022		\$1,302,565,188
Projected Common Equity Percentage of Capital Structure		
For the 12 Months Ending December 31, 2022		53.00%
Projected Weighted Return on Average Retail Common Equity (WRRCE)		
For the 12 Months Ending December 31, 2022		6.34%

The Common Equity as of March 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 three months ended March 31, 2022, and then adding nine months of budget data for April 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.



**ALABAMA MUNICIPAL ELECTRIC AUTHORITY**

**Docket** U-3013 On May 31, 2022, the Alabama Municipal Electric Authority (“the Authority”), filed with the Alabama Public Service Commission (“the Commission”) a Limited Assignment Agreement (“the Assignment Agreement”). The Assignment Agreement provides for the assignment of certain rights and obligations under the Amended and Restated Power Supply Agreement between the Authority and Alabama Power Company.

The Limited Assignment Agreement will facilitate contracts that the Authority is expected to enter into with financial institutions in order to effectively pre-pay for portions of the energy to be purchased by the Authority under the Amended and Restated Power Supply Agreement in such manner as will result in power supply expense savings for the Authority.

**Recommendation:** Approval



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## MEMORANDUM

DATE: June 7, 2022

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

FROM: Legal Division

SUBJECT: Agenda - June 14, 2022 Commission Meeting

The Legal Division will present the following at the June 14, 2022 Commission Meeting:

**DOCKET 33244** (Y) - Application of Pink Zebra Moving, LLC, of Vestavia, Alabama, for a Certificate to transport household goods.

**Recommend:** Grant certificate and approval of tariff

**DOCKET C-20303** (Y) - Petition of Coffee Auto Repair, LLC, of New Brockton, Alabama, for approval of cargo self-insurance.

**Recommend:** Approval

**DOCKET C-20248** (Y) - Petition of McCord Transportation LLC, of Albertville, Alabama, for reinstatement of Motor Carrier Certificate F5274 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

**Recommend:** Grant/Reinstatement

**DOCKET C-20282** (Y) - Petition of Edward Blackmon d/b/a Blackmon Transportation Service, of Birmingham, Alabama, for reinstatement of Motor Carrier Certificate F2647 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

**Recommend:** Grant/Reinstatement

**DOCKET C-20255** (Y) - Petition of PowerMoves, LLC, of Huntsville, Alabama, for reinstatement of Motor Carrier Certificate 4105 which was revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage.

**Recommend:** Grant/Reinstatement

**DOCKET 33203** (Y) - Johnny McDowell Sr. d/b/a Skinners Transportation Service, of Northport, Alabama, for an extension of time to make the required filings.

**Recommend:** Grant additional 60 days to allow applicant to make the required filings.

**DOCKET 32869;  
32942** (Y) - Motor Carrier Certificate 4088 and FNP A-93 held by My Kiddie Cab, LLC ("My Kiddie Cab"), of Madison, Alabama, was suspended by Commission Order dated April 12, 2021, for a period of one year. My Kiddie Cab has failed to notify the Commission of its intent to recommence operations or relinquish Motor Carrier Certificates 4088 and FNP A-93 despite a request by Commission staff to do so.

**Recommend:** Cancellation on 30-days' notice

**DOCKET 26788** (Y) - Petition of J.R.'s Trucking, Inc., of Brewton, Alabama, for cancellation of Motor Carrier Certificate F1600.

**Recommend:** Grant cancellation as requested

**DOCKET C-20278** (B) - Petition of Harry's Excavating & Septic Tank, Inc., of Cottdale, Alabama, for reinstatement of Motor Carrier Certificate F4965 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

**Recommend:** Grant/Reinstatement

**DOCKET 32669** (B) - Motor carrier application of Oxford Emergency Medical Services, Inc. d/b/a Oxford Emergency Medical Services ("Oxford Emergency Medical Services"), of Oxford, Alabama, for a certificate to transport passengers. The application has been set for hearing on three separate occasions but postponed upon request of the Applicant. No further correspondence has been received and Oxford Emergency Medical Services has not contacted the Commission.

**Recommend:** Dismissal of application

**DOCKET 33231** (B) - Alabama Public Service Commission ("APSC") v. Delinquent Companies. Show cause proceeding established to address the failure of numerous entities to pay Inspection and Supervision fees for FY2021 despite numerous notices. A show cause hearing was held on May 10, 2022 in this matter to give those entities an opportunity to appear and show cause why their respective certificates of public convenience and necessity should not be revoked for their failure to pay the required fees.

**Recommend:** Issuance of an order revoking certificates of the entities that have not paid the required Inspection and Supervision fees and did not appear at the May 10, 2022 show cause hearing. Said entities may achieve reinstatement upon payment of \$100 for each month the required fees are delinquent. Further recommend that all entities that have now paid the Inspection and Supervision fees be dismissed from this proceeding.

**DOCKET 33228** (B) - Application of ExteNet Asset Entity, LLC, of Lisle, Illinois, for a Certificate to provide telecommunications service in the State of Alabama. A hearing was held on April 23, 2022, in which Commission Staff participated.

**Recommend:** Grant

LEGAL DIVISION AGENDA

June 14, 2022 Commission Meeting

June 7, 2022

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**DOCKET 33197**

(B) - Petition of Seatus Technologies, LLC d/b/a Wyth ("Wyth"), a permitted Transportation Network Company ("TNC"), for a temporary waiver from Rule TNC-7 and Rule TNC-3(d). Rule TNC-7 specifies the requirements for vehicle inspections for TNC drivers. Rule TNC-3(d) requires TNCs to perform checks on the TNC drivers on its platform. The petition states that such regulations would cause substantial harm to Wyth when providing what it refers to as a carpool service. The petition did not provide any other basis for the waiver or explain how Wyth would provide for safe TNC service, which is the purpose of these regulations, if the Commission granted the requested waiver.

**Recommend:** Deny