

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 525

By: Boren

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5
6 AS INTRODUCED

7 An Act relating to the Corporation Commission;
8 amending 17 O.S. 2011, Section 34.1, which relates to
9 the Public Utility Regulatory Policies Act;
10 prohibiting promulgation of certain rules; providing
11 examples of certain third-party leasing arrangements;
12 requiring retail electric suppliers to provide
13 certain metering options; requiring suppliers to
14 compensate certain producers; defining terms;
15 authorizing Commission to promulgate rules; and
16 providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 17 O.S. 2011, Section 34.1, is
19 amended to read as follows:

20 Section 34.1. A. The Oklahoma Corporation Commission shall
21 have the power to implement and administer the Public Utility
22 Regulatory Policies Act (P.L. 95-617) and the Residential Energy
23 Conservation Program, 42 U.S.C., Sections 8211 through 8235i. The
24 Public Utility Division of the Corporation Commission shall be
25 responsible for assisting the Commission in the performance of these
26 duties.

1 B. The Corporation Commission shall adopt such rules and
2 regulations as are necessary to implement the purpose of all federal
3 laws which are administered or enforced by the Corporation
4 Commission.

5 C. No rule or order of the Corporation Commission shall
6 prohibit retail electric customers from utilizing small power
7 production facilities, as defined by the Public Utility Regulatory
8 Policies Act, through third-party leasing arrangements. Such third-
9 party leasing arrangements shall include, but are not limited to,
10 power purchase agreements between retail electric customers and
11 lessors of small power production equipment, regardless of any
12 contrary provision contained in the Retail Electric Supplier
13 Certified Territory Act or any other provision of law.

14 1. Each retail electric supplier in this state shall:

15 a. offer a net metering option to small power producers
16 of three hundred (300) kilowatts or less who have an
17 annual energy output of fifty thousand (50,000) kWh or
18 less, and

19 b. compensate small power producers, including for net
20 excess generation, for which credits may carry forward
21 for up to one year from the date of generation and
22 serve to offset the kilowatt-hour portion of the bill
23 of the customer;

24 2. As used in this section:

- 1 a. "third party" shall mean parties other than retail
2 electric customers and retail electric suppliers,
3 b. "retail electric suppliers" shall mean any person,
4 firm, corporation, association, cooperative
5 corporation, or governmental entity, inclusive of
6 municipal corporations or beneficial trusts thereof,
7 and the Grand River Dam Authority, engaged in the
8 furnishing of retail electric service,
9 c. "retail electric service" shall mean electric service
10 furnished to a consumer for ultimate consumption, but
11 does not include wholesale electric energy furnished
12 by an electric supplier to another electric supplier
13 for resale,
14 d. "net excess generation" shall mean all energy supplied
15 by the producer during the relevant billing period
16 including energy exceeding that provided to the
17 producer by the retail electric supplier during the
18 relevant billing period, and
19 e. a lessor of small power production equipment shall not
20 be considered a public utility;

21 3. The Corporation Commission shall promulgate and revise rules
22 consistent with this act.
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1 SECTION 2. This act shall become effective November 1, 2019.

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