

1 STATE OF OKLAHOMA

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

3 SENATE BILL 530

By: Boren

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5  
6 AS INTRODUCED

7 An Act relating to the Corporation Commission;  
8 providing definition; providing limitation of  
9 applicability of act to schools and school districts;  
10 providing exemption in certain circumstances;  
11 authorizing Corporation Commission to promulgate  
12 certain rules; establishing time limit on act;  
13 requiring certain report; providing for codification;  
14 and providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 803 of Title 17, unless there is  
18 created a duplication in numbering, reads as follows:

19 A. As used in this section, "DER utility" means any company  
20 that produces, delivers or furnishes retail electric current for  
21 light, heat or power to a customer through a power purchase  
22 agreement with a customer provided that:

23 1. Generation occurs on the property of the customer that is  
24 contiguous with the use of that power; and

1           2.     Generation shall not exceed one hundred fifty percent  
2 (150%) of the previous annual load of the customer.

3           B.     A customer of a DER utility shall be limited to schools, as  
4 defined in Section 1-106 of Title 70 of the Oklahoma Statutes or  
5 school districts, as defined in Section 1-108 of Title 70 of the  
6 Oklahoma Statutes.

7           C.     A DER utility operating under this section shall have no  
8 condemnation authority.

9           D.     A DER utility shall not be subject to Section 158.21, et  
10 seq. of Title 17 of the Oklahoma Statutes provided that the DER  
11 utility:

12           1.     Files an application with the Corporation Commission;

13           2.     Submits an annual report on power generated to the  
14 Commission;

15           3.     Receives approval from the applicable rate-setting entity  
16 the DER Utility would operate within; and

17           4.     Complies with any additional requirement established by the  
18 Commission.

19           E.     The Corporation Commission shall promulgate rules as  
20 necessary to implement this act.

21           F.     This act shall be valid for a term of ten (10) years, at  
22 which time a report of work shall be issued by the Office of the  
23 Secretary of Energy and Environment within one (1) year, for  
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1 consideration and determination of continuance of the provisions of  
2 this act.

3 SECTION 2. This act shall become effective November 1, 2019.

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