

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1602 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Ryan Martinez \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1602

By: Martinez

7  
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to the Oklahoma Corporation  
10 Commission; creating the Oklahoma Electric Choice and  
11 Competition Law; stating legislative intent; defining  
12 terms; requiring Corporation Commission permit retail  
13 electric supplier choice by certain date; requiring  
14 access to certain competitive market; requiring the  
15 promulgation of certain rules; requiring electric  
16 utilities provide certain access; requiring electric  
17 utilities unbundle certain rates; requiring  
18 Commission to continue certain regulation; requiring  
19 certain rates remain the same; requiring certain  
20 obligations, protections, and costs remain in place;  
21 requiring Commission develop Customer Bill of Rights;  
22 stating requirements for Customer Bill of Rights;  
23 requiring certain access to financial assistance  
24 remain intact; requiring Commission establish certain  
guidelines; stating requirements of certain  
guidelines; requiring electric utilities provide  
certain access; requiring Commission develop certain  
processes; requiring electric utilities to continue  
to provide certain services; allowing customers to  
select preferred billing method; requiring Commission  
develop certain procedures and requirements for  
alternative billing; requiring Commission develop  
certain education program and disseminate information  
related to that program; allowing for certain costs  
to be recovered; requiring Commission explore certain  
website options; requiring electric utilities  
continue to provide certain services; requiring  
certain customers to pay certain costs; requiring  
certain costs be determined; requiring Commission

1 establish certain process; stating requirements for  
2 certain process; requiring electric retail suppliers  
3 hold a license; requiring Commission issue license  
4 upon certain findings; requiring Commission develop  
5 certain applications, internal procedures and  
6 financial security requirements; allowing for the  
7 recovery of certain costs; requiring Commission make  
8 certain determination regarding stranded cost  
9 recovery; stating what certain costs include;  
10 allowing for the divestment of certain assets;  
11 prohibiting the use of certain assets and cost  
12 recovery; requiring Commission make certain  
13 determination; requiring the submission of certain  
14 compliance plan by certain date; listing requirements  
15 of certain compliance plan; requiring certain review  
16 and hearing; requiring certain notice; requiring  
17 Commission issue certain order; requiring certain  
18 actions if plan is rejected; requiring Commission  
19 promulgate certain rules; requiring Commission  
20 monitor market; requiring Commission take steps to  
21 prevent certain conduct; authorizing the Commission  
22 to investigate and establish certain guidelines;  
23 providing for codification; and providing an  
24 effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 803.1 of Title 17, unless there  
19 is created a duplication in numbering, reads as follows:

20 This act shall be known and may be cited as the "Oklahoma  
21 Electric Choice and Competition Law".

22 SECTION 2. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 803.2 of Title 17, unless there  
24 is created a duplication in numbering, reads as follows:

1       The Legislature of the State of Oklahoma finds and declares as  
2 follows:

3       1. Electricity is essential to the health and well-being of  
4 residents, to public safety, and to economic development, and  
5 electricity should be available to all customers on reasonable terms  
6 and conditions;

7       2. It is in the public interest to permit customers of  
8 investor-owned electric utilities that serve more than one hundred  
9 thousand (100,000) customers to obtain direct access to a  
10 competitive retail electric market for the purchase of electric  
11 generation service;

12       3. It is in the public interest to permit commercial and  
13 industrial customers to initially obtain direct access to the  
14 competitive retail electric market, followed by a phase-in that  
15 affords residential customers the same access;

16       4. Electric utilities will remain responsible for owning and  
17 maintaining the transmission and distribution systems and providing  
18 transmission and distribution services as monopoly functions;

19       5. A competitive retail electric market shall be implemented  
20 through a fair and orderly transition for the generation and sale or  
21 purchase of electricity;

22       6. The transition to a competitive retail electric market  
23 should not adversely affect customers or result in a decline in the  
24

1 protections, policies, and services that are currently in place for  
2 customers;

3 7. Electric utilities have generally had an obligation to serve  
4 customers within their defined service territories and, consistent  
5 with that obligation, have undertaken long-term investments in  
6 generation, transmission, and distribution facilities and entered  
7 into long-term power supply agreements. Some of these investments  
8 and agreements have created costs that may not be recoverable in a  
9 competitive market. Electric utilities should be permitted to  
10 recover these stranded costs, as well as transition costs incurred  
11 to implement electric competition; and

12 8. Under current law, the generation, transmission, and  
13 distribution of electricity is provided by electric utilities under  
14 bundled rates. In order to permit customers to have direct access  
15 to a competitive market for the purchase of electricity, electric  
16 utilities shall unbundle these rates into rates for generation,  
17 transmission, and distribution. This unbundling process should be  
18 performed in a manner that does not cause any cross-subsidization  
19 among customer classes.

20 SECTION 3. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 803.03 of Title 17, unless there  
22 is created a duplication in numbering, reads as follows:

23 As used in the Oklahoma Electric Choice and Competition Law:  
24

- 1        1. "Anticompetitive or discriminatory conduct" means conduct by  
2 an electric utility which inhibits the ability of retail electric  
3 suppliers to provide electric generation service to customers or  
4 which creates an impression that the basic generation service by the  
5 electric utility is superior to offerings in the competitive market  
6 or provides an advantage to any related retail electric supplier  
7 over nonaffiliated retail electric suppliers;
- 8        2. "Basic generation service" is the electricity that electric  
9 utilities continue to supply to customers who do not select a retail  
10 electric supplier when given direct access to retail electric  
11 suppliers;
- 12        3. "Commercial and industrial customer" means a customer  
13 receiving distribution service from the electric utility under a  
14 nonresidential tariff;
- 15        4. "Commission" means the Oklahoma Corporation Commission or  
16 Corporation Commission of Oklahoma;
- 17        5. "Competitive procurement process" means an auction in which  
18 wholesale electric suppliers submit bids to supply electric  
19 generation service to the electric utility for basic generation  
20 service supplied to customers;
- 21        6. "Competitive transition charge" means, a non-bypassable  
22 mechanism for the recovery of transition or stranded costs by the  
23 electric utility;

24

1       7. "Compliance plan" means a plan filed by an electric utility  
2 to implement the provisions of this act relating to restructuring,  
3 transition or stranded costs, unbundling, and direct access;

4       8. "Cooperative" means a person doing business in the state  
5 pursuant to Section 437.1 et seq. of Title 18 of the Oklahoma  
6 Statutes;

7       9. "Customer" means a retail customer receiving service from an  
8 electric utility or a retail electric supplier;

9       10. "Direct access" means the ability of a customer to purchase  
10 electricity directly from a retail electric supplier;

11       11. "Dual bill" means a separate bill sent by a retail electric  
12 supplier to a customer containing only the charges for electric  
13 generation service;

14       12. "Electric generation service" means the generation or sale  
15 of electricity to customers by retail electric suppliers;

16       13. "Electric utility" means any investor-owned public utility  
17 engaged in the furnishing of electric service to one hundred  
18 thousand (100,000) or more customers;

19       14. "Hourly prices" means charges for basic generation service  
20 that vary hour-to-hour and are determined from wholesale market  
21 prices using a methodology approved by the Commission;

22       15. "Indirect costs" means those overhead or shared costs that  
23 are incurred by an electric utility on a total company basis to  
24

1 provide distribution service and basic generation service to  
2 customers on its distribution system;

3 16. "Non-bypassable charge" means a charge that is assessed on  
4 all customers of an electric utility's distribution system, which  
5 cannot be bypassed by opting to receive electric generation service  
6 from a retail electric supplier in the market;

7 17. "Residential customer" means a customer receiving  
8 distribution service from the electric utility under a residential  
9 tariff;

10 18. "Restructuring" means the process of restructuring the  
11 monopoly electric utility to allow customers to choose a retail  
12 electric supplier for electric generation service but still receive  
13 transmission and distribution service from the electric utility;

14 19. "Retail electric supplier" means an entity licensed by the  
15 Commission to supply electric generation service to customers;

16 20. "Supplier consolidated billing" means a billing procedure  
17 under which a retail electric supplier sends a consolidated bill to  
18 a customer, containing its electric generation service charges and  
19 the electric utility's distribution charges;

20 21. "Transition or stranded costs" means costs which would have  
21 been recoverable by electric utilities in a monopoly environment but  
22 may not be recovered in a competitive generation market. Costs  
23 include regulatory assets and other deferred charges, environmental  
24 expenses, cost obligations under long-term contracts, and customer



1 education and other costs associated with implementing electric  
2 choice, in addition to any costs identified by the Commission;

3 22. "Transmission and distribution service" means delivery of  
4 electricity provided by the electric utility over its transmission  
5 and distribution systems;

6 23. "Unbundling" means separating the process of electric  
7 service into its three basic components of transmission,  
8 distribution and generation services, and identifying the costs  
9 incurred by the electric utility to provide each component of the  
10 electric service; and

11 24. "Utility consolidated billing" means a billing procedure  
12 under which an electric utility sends a consolidated bill to a  
13 customer, containing its distribution charges and the retail  
14 electric supplier's electric generation service charges.

15 SECTION 4. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 803.04 of Title 17, unless there  
17 is created a duplication in numbering, reads as follows:

18 A. Beginning January 1, 2025, the Oklahoma Corporation  
19 Commission shall permit commercial and industrial customers of  
20 electric utilities to choose a retail electric supplier.

21 B. On a timeframe determined by the Commission, but no later  
22 than January 1, 2027, the Commission shall permit residential  
23 customers of electric utilities to choose a retail electric  
24 supplier.

1           SECTION 5.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 803.05 of Title 17, unless there  
3 is created a duplication in numbering, reads as follows:

4           A. All customers of electric utilities shall have direct access  
5 to a competitive market for the generation of electricity, enabling  
6 them to choose the entity that supplies electric generation service,  
7 consistent with the timeframes established in Section 4 of this act.

8           B. The Oklahoma Corporation Commission shall promulgate rules  
9 and procedures for a fair and orderly restructuring process for the  
10 sale and purchase of electric generation service.

11           C. Electric utilities shall provide open access over their  
12 transmission and distribution systems to allow retail electric  
13 suppliers to sell electric generation service directly to customers  
14 in Oklahoma.

15           D. Electric utilities shall unbundle the rates charged for  
16 generation, transmission, and distribution services for all classes  
17 of residential, commercial, and industrial customers.

18           E. Following unbundling, the Commission shall continue to  
19 regulate the transmission and distribution of electricity by  
20 electric utilities as monopoly functions and shall enforce the rules  
21 relating to direct access and basic generation service procurement.

22           F. The unbundled rates of residential customers will remain the  
23 same as they were on the effective date of this act unless the  
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1 Commission approves an increase to the charges of the electric  
2 utility.

3 SECTION 6. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 803.06 of Title 17, unless there  
5 is created a duplication in numbering, reads as follows:

6 A. Nothing in this act shall be viewed as affecting the  
7 obligations of electric utilities to provide safe, reliable, and  
8 affordable service.

9 B. The transition to a competitive retail electric market shall  
10 not adversely affect customers or result in a decline in the  
11 protections, policies, and services that are currently in place for  
12 customers.

13 C. The unbundling process required by this act shall preserve a  
14 fair allocation of costs among customers, as per rules promulgated  
15 by the Oklahoma Corporation Commission.

16 SECTION 7. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 803.07 of Title 17, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. Before residential customers gain direct access to the  
20 competitive market for electricity and are able to choose the entity  
21 that supplies their electric generation service, the Oklahoma  
22 Corporation Commission shall develop and enforce a "Customer Bill of  
23 Rights", which addresses, at a minimum, the following rights to:  
24

- 1 1. Choose a retail electric supplier in areas where competitive  
2 supplies are offered;
  - 3 2. Receive unbiased, accurate, and understandable information  
4 to help them shop for electricity;
  - 5 3. Select terms and conditions, subject to availability,  
6 including pricing and products, among the competitive supplies that  
7 are offered;
  - 8 4. Receive the benefits of new services, technological  
9 advances, improved efficiency, and competitive prices;
  - 10 5. Receive protections from unfair, deceptive, fraudulent, and  
11 anti-competitive practices of retail electric suppliers;
  - 12 6. Expect that the quality, reliability, and maintenance of  
13 electric distribution service will not change and is still monitored  
14 by the Commission;
  - 15 7. Question and dispute the accuracy of the charges assessed by  
16 retail electric suppliers; and
  - 17 8. Receive information from the retail electric supplier  
18 regarding the manner in which to file a complaint with the  
19 Commission.
- 20 B. Nothing in this act shall adversely affect the ability of  
21 residential customers to retain access to any and all financial  
22 assistance benefits, including those currently available to  
23 qualifying low income customers.

24

1 C. Through an on-the-record proceeding, the Commission shall  
2 establish guidelines for the provision of electric generation  
3 service to residential customers which ensure:

4 1. Accurate and adequate pricing information, through marketing  
5 and disclosure statements;

6 2. An understandable format that enables comparing prices and  
7 services on a uniform basis; and

8 3. Clear processes to confirm and document a customer's intent  
9 to switch to a retail electric supplier to avoid any unauthorized  
10 switches to electric generation service in the competitive market.

11 SECTION 8. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 803.08 of Title 17, unless there  
13 is created a duplication in numbering, reads as follows:

14 A. All electric utilities have an obligation to provide open  
15 and nondiscriminatory access to their systems as needed for retail  
16 electric suppliers to provide service. Such access includes  
17 customer metering and other customer information so long as the  
18 retail electric supplier receives customer consent for the release  
19 of the data.

20 B. The Oklahoma Corporation Commission shall develop processes  
21 for retail electric suppliers to confirm and document the customer's  
22 consent to release data; however, such processes may not require  
23 onerous signature or other requirements to be received from the  
24 customer.

1 C. All electric utilities shall continue to provide metering  
2 services, but customer-specific data shall be released to retail  
3 electric suppliers upon customer consent.

4 D. Customers shall have the ability to select their preferred  
5 billing method including, but not limited to, utility consolidated  
6 billing, supplier consolidated billing, and dual bills. The  
7 Commission shall institute an on-the-record proceeding to develop  
8 the necessary procedures and requirements to implement alternate  
9 billing methods.

10 SECTION 9. NEW LAW A new section of law to be codified  
11 in the Oklahoma Statutes as Section 803.09 of Title 17, unless there  
12 is created a duplication in numbering, reads as follows:

13 A. Upon the effective date of this act, the Oklahoma  
14 Corporation Commission shall immediately commence a proceeding to  
15 develop a comprehensive customer education program to ensure that  
16 customers have access to accurate information about their ability to  
17 directly access the competitive market. The proceeding shall  
18 explore ways for the Commission to partner with electric utilities  
19 to disseminate Commission-endorsed educational pieces or engage in a  
20 statewide campaign, as well as appropriate cost recovery from all  
21 customers to support the customer education program.

22 B. To the extent the costs are known when the compliance plans  
23 are filed, they may be approved for recovery through the non-  
24 bypassable competitive transition charge.

1 C. The Commission shall explore the use of a website option, or  
2 shopping website, which enables customers to compare products and  
3 services being offered by retail electric suppliers.

4 SECTION 10. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 803.10 of Title 17, unless there  
6 is created a duplication in numbering, reads as follows:

7 A. On and after January 1, 2025, electric utilities shall  
8 continue to provide basic generation service to commercial and  
9 industrial customers that do not choose a retail electric supplier.

10 B. Commercial and industrial customers that do not choose a  
11 retail electric supplier shall pay hourly prices for electricity,  
12 along with indirect costs incurred by the electric utility that are  
13 not directly attributable to basic generation service but are  
14 associated with resources that support the provision of basic  
15 generation service. The indirect costs shall be determined through  
16 a fully allocated cost study performed by the electric utility,  
17 which examines each indirect cost category and reasonably allocates  
18 a portion of each cost category used to provide or support basic  
19 generation service to the basic generation service price.

20 SECTION 11. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 803.11 of Title 17, unless there  
22 is created a duplication in numbering, reads as follows:

23 A. On and after a date established by the Oklahoma Corporation  
24 Commission that is no later than January 1, 2027, the electric

1 utility shall continue to provide basic generation service to  
2 residential customers who do not choose a retail electric supplier.

3 B. Residential customers shall pay a monthly price established  
4 through a Commission-approved competitive procurement process and  
5 which shall include costs incurred by the electric utility to  
6 conduct the procurement process. The price shall also include  
7 indirect costs as determined through a fully allocated cost study  
8 performed by the electric utility, which examines each indirect cost  
9 category and reasonably allocates a portion of each cost category  
10 used to provide or support basic generation service to the basic  
11 generation service price.

12 SECTION 12. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 803.12 of Title 17, unless there  
14 is created a duplication in numbering, reads as follows:

15 A. The Oklahoma Corporation Commission shall establish the  
16 competitive procurement process referred to in Section 11 of this  
17 act.

18 B. The competitive procurement process shall consist of a  
19 multi-round, descending clock auction for the procurement of  
20 electricity to meet one-third (1/3) of the service requirements,  
21 including energy, capacity, ancillary services, and other services  
22 identified by the Commission, of the customers of the electric  
23 utilities who have not chosen a retail electric supplier for a  
24 three-year period. This process shall be repeated annually.



1 SECTION 13. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 803.13 of Title 17, unless there  
3 is created a duplication in numbering, reads as follows:

4 A. No entity shall engage in the business of a retail electric  
5 supplier in this state unless the person or corporation holds a  
6 license issued by the Oklahoma Corporation Commission. The  
7 Commission shall issue such license only upon finding that the  
8 person or corporation is fit, willing, and able to properly perform  
9 the service proposed and to conform to all legal requirements  
10 consistent with the public interest and the policy declared in this  
11 act.

12 B. The Commission shall develop:

13 1. A standard written application to gather the information  
14 needed to assess an applicant;

15 2. Internal procedures to process written applications no later  
16 than ninety (90) days after they are properly submitted; and

17 3. Financial security requirements to ensure the financial  
18 responsibility of the competitive retail electric supplier, the  
19 supply of electricity at retail in accordance with contracts,  
20 agreements, or arrangements, and the payment of all required  
21 applicable state taxes.

22 SECTION 14. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 803.14 of Title 17, unless there  
24 is created a duplication in numbering, reads as follows:

1 A. Nothing in this act shall preclude an electric utility from  
2 recovering transition or stranded costs, which traditionally would  
3 have been recoverable in a regulated environment but may not be  
4 recoverable in a competitive electric generation market and which  
5 the Oklahoma Corporation Commission determines will remain following  
6 mitigation by the electric utility.

7 B. In determining the level of stranded cost recovery, the  
8 Commission shall seek to avoid the shifting of such costs among  
9 classes of residential, commercial, and industrial customers.

10 C. Transition or stranded costs include regulatory assets and  
11 other deferred charges, environmental expenses, cost obligations  
12 under long-term contracts, and customer education and other costs  
13 associated with implementing electric choice, in addition to any  
14 costs identified by the Commission.

15 SECTION 15. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 803.15 of Title 17, unless there  
17 is created a duplication in numbering, reads as follows:

18 A. At any time, electric utilities may opt to divest their  
19 generation assets. The assets may be divested by one of the  
20 following options at the discretion of the electric utility:

- 21 1. Sell generation assets to an unaffiliated entity; or
- 22 2. Transfer generation assets to an unregulated affiliate at a  
23 fair market price.

24

1 B. Once a competitive market for electric generation service is  
2 implemented for commercial and industrial customers, an electric  
3 utility that continues to own generation assets may not use them to  
4 provide basic generation service to its commercial and industrial  
5 customers and may not recover the costs of generation from its  
6 provision of basic generation service to commercial and industrial  
7 customers.

8 C. Once a competitive market for electric generation service is  
9 implemented for residential customers, an electric utility that  
10 continues to own generation assets may not use them to provide basic  
11 generation service to its residential customers and may not recover  
12 the costs of generation from its provision of basic generation  
13 service to residential customers.

14 D. The Oklahoma Corporation Commission shall determine whether  
15 it is necessary to establish, in addition to existing Southwest  
16 Power Pool protections, an independent market monitor to ensure that  
17 no entity owns generation assets in an amount that gives the entity  
18 market power.

19 SECTION 16. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 803.16 of Title 17, unless there  
21 is created a duplication in numbering, reads as follows:

22 A. Each electric utility shall submit to the Oklahoma  
23 Corporation Commission a compliance plan to implement direct access  
24 to a competitive market for the generation of electricity. The

1 plans shall be submitted within six (6) months after the effective  
2 date of this act.

3 B. A compliance plan shall include, in addition to other  
4 components determined by the Commission, the following:

5 1. Identification and quantification of transition or stranded  
6 costs, along with an explanation of mitigation efforts taken to  
7 minimize these costs;

8 2. A proposed non-bypassable competitive transition charge for  
9 each customer class for the recovery of transition or stranded  
10 costs;

11 3. Proposed unbundled rates for each customer class for  
12 generation, transmission, and distribution services;

13 4. Proposed level of indirect costs to be recovered in the  
14 initial basic generation service price established pursuant to  
15 Sections 10 and 11 of this act. The Commission-approved amount of  
16 indirect costs to be recovered in the initial basic generation  
17 service price shall be re-evaluated every three (3) years in  
18 connection with the competitive procurement process established  
19 pursuant to Section 12 of this act;

20 5. Description of the unbundling process, including an  
21 explanation of the steps taken by the electric utility to ensure  
22 that the proposed unbundled rates do not result in the creation of  
23 cross-subsidies that adversely affect residential customers;

24

1           6. Procedures for ensuring direct access to all licensed retail  
2 electric suppliers; and

3           7. Revised tariffs and rate schedules implementing the above.

4           C. The Commission shall review each compliance plan and, after  
5 evidentiary hearings, and providing notice and opportunity to be  
6 heard for all parties, issue an order accepting, modifying, or  
7 rejecting the plan, no later than six (6) months from the filing of  
8 the plan. If the Commission rejects the plan, it shall state the  
9 specific reasons and direct the electric utility to file an  
10 alternative plan within thirty (30) days. The Commission shall  
11 review the alternative plan and solicit comments from interested  
12 parties.

13           SECTION 17.           NEW LAW           A new section of law to be codified  
14 in the Oklahoma Statutes as Section 803.17 of Title 17, unless there  
15 is created a duplication in numbering, reads as follows:

16           A. The Oklahoma Corporation Commission shall develop  
17 regulations to assure the provision of direct access on equal and  
18 nondiscriminatory terms to all customers and competitive retail  
19 electric suppliers; prevent discrimination in rates, terms or  
20 conditions of service by electric utilities; prevent the cross-  
21 subsidization of service among customer classes or between related  
22 electric utilities and retail electric suppliers; forbid unfair or  
23 deceptive practices; and establish and maintain an effective and  
24

1 vibrant competitive market in the purchase and sale of retail  
2 electricity in the state.

3 B. The Commission shall monitor the market for the supply and  
4 distribution of electricity to customers and take steps to prevent  
5 anti-competitive or discriminatory conduct and the unlawful exercise  
6 of market power.

7 SECTION 18. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 803.18 of Title 17, unless there  
9 is created a duplication in numbering, reads as follows:

10 The Oklahoma Corporation Commission is authorized to investigate  
11 and establish guidelines for any and all retail market enhancement  
12 programs that may facilitate the ability of retail electric  
13 suppliers to offer competitive products and services to customers.  
14 Such programs may include, but are not limited to, purchase of  
15 receivables programs, customer referral programs, and municipal  
16 aggregation programs.

17 SECTION 19. This act shall become effective November 1, 2023.

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19 59-1-7196 JBH 01/25/23

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