

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 2845

6 By: Caldwell (Trey)

7 COMMITTEE SUBSTITUTE

8 An Act relating to the Retail Electric Supplier
9 Certified Territory Act; amending 17 O.S. 2021,
10 Section 158.25, which relates to exclusive rights
11 within territory; providing for certain retail
12 electric supplier's ability to extend service under
13 certain circumstances; updating statutory references;
14 and providing an effective date.

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

16 SECTION 1. AMENDATORY 17 O.S. 2021, Section 158.25, is
17 amended to read as follows:

18 Section 158.25 A. Except as otherwise provided herein, each
19 retail electric supplier shall have the exclusive right to furnish
20 retail electric service to all electric-consuming facilities located
21 within its certified territory, and shall not furnish, make
22 available, render or extend its retail electric service to a
23 consumer for use in electric-consuming facilities located within the
24 certified territory of another retail electric supplier; provided
that any retail electric supplier may extend its facilities through

1 the certified territory of another retail electric supplier, if such
2 extension is necessary for such supplier to connect any of its
3 facilities or to serve its consumers within its own certified
4 territory.

5 B. Except as provided in ~~Section 5~~ subsections C and Section 5
6 E of this section, any new electric-consuming facility located in an
7 unincorporated area which has not as yet been included in a map
8 issued by the Commission, pursuant to ~~Section 4C(1)~~ 158.24 of this
9 title, or certified, pursuant to ~~Section 4-D~~ 158.24 of this title,
10 shall be furnished retail electric service by the retail electric
11 supplier which has an existing distribution line in closer proximity
12 to such electric-consuming facility than is the nearest existing
13 distribution line of any other retail electric supplier. Any
14 disputes under this ~~Section 5-B~~ subsection shall be resolved by the
15 Commission.

16 C. If the Commission, after hearing, shall determine that the
17 retail electric service being furnished or proposed to be furnished
18 by a retail electric supplier to an electric-consuming facility is
19 inadequate and is not likely to be made adequate, the Commission may
20 authorize another retail electric supplier to furnish retail
21 electric service to such facility.

22 D. Except as provided in ~~Section 5~~ subsection C of this
23 section, no retail electric supplier shall furnish, make available,
24 render or extend retail electric service to any electric-consuming

1 facility to which such service is being lawfully furnished by
2 another retail electric supplier on ~~the effective date of this act~~
3 September 10, 1971, or to which retail electric service is lawfully
4 commenced thereafter in accordance with this section by another
5 retail electric supplier.

6 E. The provisions of this act shall not preclude any retail
7 electric supplier from extending its service after ~~the effective~~
8 ~~date of this act~~ September 10, 1971, (1) to its own property and
9 facilities, in an unincorporated area, and (2) subject to ~~Section 5~~
10 subsection D of this section, to an electric-consuming facility
11 requiring electric service, in an unincorporated area, if the
12 connected load for initial full operation of such electric-consuming
13 facility is to be ~~1,000 kw~~ ten thousand kilowatts (10,000 kw) or
14 larger.

15 SECTION 2. This act shall become effective November 1, 2023.

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