

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 93

6 By: Prieto of the Senate

7 and

8 Boles of the House

9 COMMITTEE SUBSTITUTE

10 An Act relating to distributed energy resources;
11 defining terms; providing exemptions for certain
12 owners and operators of distributed energy resources;
13 establishing provisions for construction and
14 maintenance of certain electric distribution lines;
15 providing for codification; and providing an
16 effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 158.71 of Title 17, unless there
20 is created a duplication in numbering, reads as follows:

21 A. For the purposes of this section:

22 1. "Distributed energy resource" means a small-scale electrical
23 power source that is installed near where the electricity is used
24 including, but not limited to, dispatchable or non-dispatchable

1 power generation, energy storage resources, energy efficiency
2 resources, or demand response resources;

3 2. "Owner" or "operator" means a corporation, association,
4 company, or individual that owns or operates a distributed energy
5 resource to provide electrical service to a load which is under the
6 same ownership as the generation source. Provided, any owner or
7 operator which serves a load outside of its ownership shall be
8 considered a retail electric supplier;

9 3. "Public utility" means a public utility as defined pursuant
10 to Section 151 of Title 17 of the Oklahoma Statutes; and

11 4. "Retail electric supplier" means a retail electric supplier
12 as defined pursuant to Section 158.22 of Title 17 of the Oklahoma
13 Statutes.

14 B. Any owner or operator that does not serve a load outside of
15 its ownership and is not otherwise connected to a public utility
16 grid shall be exempt from complying with any state or federal
17 regulations, registration requirements, and fee payments, including
18 those mandated by the Southwest Power Pool, if applicable.

19 C. An owner or operator shall not construct or maintain
20 electric distribution lines, including poles or other related
21 structures in, around, or along any road, street, or other public
22 way, unless:

23 1. The owner or operator, or a contractor hired by the owner or
24 operator to construct the electric line, provides to the Corporation

1 Commission a performance bond in the amount of the value of the
2 line, including poles or other related structures to be located in
3 the public right-of-way. The performance bond shall be enforceable
4 up to the date that the line is energized; and

5 2. The transmission and distribution public utility providers
6 that operate the service territory where the line is proposed to be
7 built are notified in writing not less than thirty (30) days prior
8 to the commencement of line construction.

9 D. If an objection to construction of a distribution line built
10 under subsection C of this section is filed by a public utility with
11 the Corporation Commission, the Commission shall furnish adequate
12 notice to the Office of the Attorney General and complete a full
13 evidentiary hearing and procedural schedule. If the Commission
14 finds that the distribution line does not interfere with the
15 delivery of electricity to any of the public utility's existing
16 consumers, the owner or operator may proceed with the construction
17 or maintenance of electric lines after compliance with paragraphs 1
18 and 2 of subsection C of this section.

19 SECTION 2. This act shall become effective November 1, 2025.

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