

1 **SENATE FLOOR VERSION**

2 February 27, 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 An Act relating to distributed energy resources;  
10 defining terms; providing exemptions for certain  
11 owners and operators of distributed energy resources;  
12 establishing provisions for construction and  
13 maintenance of certain electric distribution lines;  
14 providing for codification; and providing an  
15 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 158.71 of Title 17, unless there  
19 is created a duplication in numbering, reads as follows:

20 A. For the purposes of this section:

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

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

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

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

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

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

21       1. The owner or operator, or a contractor hired by the owner or  
22 operator to construct the electric line, provides to the Corporation  
23 Commission a performance bond in the amount of the value of the  
24 line, including poles or other related structures to be located in

1 the public right-of-way. The performance bond shall be enforceable  
2 up to the date that the line is energized; and

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

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

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

18 COMMITTEE REPORT BY: COMMITTEE ON ENERGY  
19 February 27, 2025 - DO PASS AS AMENDED BY CS  
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