

1 ENGROSSED HOUSE  
2 BILL NO. 1374

By: Boles, Hefner, and Adams of  
the House

3 and

4 Green of the Senate

5  
6  
7 [ utilities - public utility - exception -  
8 electricity - refusal - rights - natural gas -  
9 effective date -  
10 emergency ]

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

14 SECTION 1. AMENDATORY 17 O.S. 2021, Section 151, as  
15 amended by Section 1, Chapter 67, O.S.L. 2024 (17 O.S. Supp. 2024,  
16 Section 151), is amended to read as follows:

17 Section 151. A. 1. The term "public utility" as used in  
18 Sections 151 through 155 of this title, shall be taken to mean and  
19 include every corporation, association, company, individuals, their  
20 trustees, lessees, or receivers, successors or assigns, except as  
21 hereinafter provided, and except cities, towns, or other bodies  
22 politic, that now or hereafter may own, operate, or manage any plant  
23 or equipment, or any part thereof, directly or indirectly, for

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1 public use, or may supply any commodity to be furnished to the  
2 public.

3 (a) For the conveyance of gas by pipeline.

4 (b) For the production, transmission, delivery or  
5 furnishing of heat or light with gas.

6 (c) For the production, transmission, delivery or  
7 furnishing electric current for light, heat or power.

8 (d) For the transportation, delivery or furnishing of  
9 water for domestic purposes or for power. Provided  
10 further that a corporation organized and existing not  
11 for profit pursuant to Title 18 of the Oklahoma  
12 Statutes, Sections 851-863, but for the purpose of  
13 developing and providing rural water supply and sewage  
14 disposal facilities to serve rural residents shall not  
15 be declared a public utility under this act, and shall  
16 be exempt in any and all respects from the  
17 jurisdiction and control of the Corporation Commission  
18 of this state.

19 2. The term "Commission" shall be taken to mean Corporation  
20 Commission of Oklahoma.

21 B. Provided that:

22 ~~1. In Washington County, where any corporation, association,~~  
23 ~~company, individuals, their trustees, lessees, or receivers,~~  
24 ~~successors or assigns, is engaged in the private business of~~

1 ~~manufacturing any products other than those hereinbefore defined,~~  
2 ~~and in the manufacture of such products operate and maintain private~~  
3 ~~electric or water plants for its own power and electrical energy or~~  
4 ~~water used in its manufacturing plant, without the right of eminent~~  
5 ~~domain and without the use of streets, highways or public property,~~  
6 ~~it may contract upon terms and prices approved by Corporation~~  
7 ~~Commission the sale of a bona fide surplus of electrical energy or~~  
8 ~~water developed in such private plants to any public utility engaged~~  
9 ~~in manufacturing and distributing electrical energy in Washington~~  
10 ~~County, Oklahoma, without becoming a public utility. Provided~~  
11 ~~further any city or town within a county having a population of over~~  
12 ~~five hundred thousand (500,000) or any county having a population of~~  
13 ~~over five hundred thousand (500,000), according to the 1970 Federal~~  
14 ~~Census, which is a beneficiary of a public trust that has multiple~~  
15 ~~beneficiaries and that includes within any or all of its boundaries~~  
16 ~~a water supply and/or distribution system, or any portion thereof,~~  
17 ~~shall have the authority to condemn all or any portion of any water~~  
18 ~~supply and/or distribution system owned and/or operated and/or~~  
19 ~~leased by a public trust within the limits of the condemning city or~~  
20 ~~town or within the unincorporated areas of the condemning county;~~  
21 ~~provided the power granted hereunder shall not be exercised until~~  
22 ~~the condemning city, town or county shall have made provision to pay~~  
23 ~~off all outstanding bonded indebtedness incurred by the public~~  
24 ~~trust, including interest on the bonds to maturity of the bonds, or~~

1 ~~first call date, and premium, if any, to which the property to be~~  
2 ~~condemned or the revenues therefrom has been pledged for security.~~

3       2. ~~The~~ the term public utility shall not include or be taken to  
4 mean a corporation, association, company, individuals, their  
5 trustees, lessees, receivers, successors, or ~~assigns~~ assignees  
6 engaged in the production of ~~green hydrogen~~ electricity, provided  
7 that such entity furnishes an electric service or commodity ~~only on~~  
8 the premises directly to itself, an affiliate, or tenants ~~solely~~  
9 ~~engaged in the production of green hydrogen on the premises or~~  
10 indirectly by contracting with a public utility, rural electric  
11 cooperative, or municipality for the purpose of furnishing electric  
12 service to a specific customer or is an exempt wholesale generator,  
13 so long as that service or commodity is not resold as retail  
14 electric service or supplied indirectly or directly for public use.  
15 Nothing herein shall relieve such an entity of its obligation to  
16 comply with state and federal grid interconnection and registration  
17 requirements and associated costs from the applicable regional  
18 transmission organization or public utility in the state, ~~nor shall~~  
19 ~~it limit any party from asserting a right they may otherwise be~~  
20 ~~entitled to under Oklahoma law.~~ There shall not be a requirement  
21 nor obligation for a public utility to serve any customer receiving  
22 electric service from an entity described herein. Further, it shall  
23 not limit any party from asserting a right the party may otherwise  
24 be entitled to under Oklahoma law including filings with the

1 Commission. Additionally, any project pursuant to this act shall be  
2 required to utilize a natural gas component in its power generation  
3 capacity.

4 SECTION 2. This act shall become effective July 1, 2025.

5 SECTION 3. It being immediately necessary for the preservation  
6 of the public peace, health or safety, an emergency is hereby  
7 declared to exist, by reason whereof this act shall take effect and  
8 be in full force from and after its passage and approval.

9 Passed the House of Representatives the 26th day of March, 2025.

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11 \_\_\_\_\_  
12 Presiding Officer of the House  
13 of Representatives

14 Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2025.

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17 Presiding Officer of the Senate  
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