

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

Task
IN THE MATTER OF A PERMANENT
RULEMAKING OF THE OKLAHOMA
CORPORATION COMMISSION AMENDING
OAC 165:35, ELECTRIC UTILITY RULES

CAUSE NO. RM 201800010

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the Public Utility Division ("PUD") of the Oklahoma Corporation Commission ("Commission") recommends that the Commission amend the Electric Utility Rules that are set forth in the Oklahoma Administrative Code ("OAC") 165:35.

The proposed changes to OAC 165:35 are as follows:

In each Subchapter, include in Subchapters 29, 31 34, 38, and 39, PUD proposes making general grammatical, formatting, and spelling changes, shortening defined terms, and clarifying business days versus calendar days.

In Subchapter 1, PUD proposes adding a definition for "Conduit", "CSD", "Delinquent", "Owner", "Pole", "Pole Occupant", "PUD", and "Support equipment"; removing the definition of "Corporation Commission"; and revoking the rule requiring submission of distribution system mapping.

In Subchapter 5, PUD proposes changing the title to add Submission Requirements and Submission of Distribution System Mapping; adding language regarding the review, approval, and dispute resolution of annual tariff submissions; changes the title from Filing of Maps to Map Submission Requirements and Submission of Distribution System Mapping as well as the requirement to provide to PUD detailed system maps and the timing of the Submission to the PUD Director; adds language to clarify the timing of objections, hearings, and orders related to applications for streamlined approval and subsequent pleading; adds language to require notice by publication when an application for streamlined approval proposes a service or tariff that alters the current rate or offers a new rate.

In Subchapter 7, PUD proposes requiring promotional practices be submitted instead of being filed, and changes the submission date and the items to be included in the submission.

In Subchapter 9, PUD proposes updating the National Electric Code year.

In Subchapter 11, PUD proposes adding a section relating to Competitive load notice and Commission consideration.

In Subchapter 13, PUD proposes to add Electric Vehicle Supply Equipment as an exclusion from the sales for resale of electricity; and adds language to clarify the deadline for notice to the Commission prior to a utility selling power or energy to any consumer under Commission jurisdiction.

In Subchapter 15, PUD proposes additional language and requirements for slow meter, non-registering meters, billing issues, and installment payments; and specific billing period for meters for incorrect register and incorrect usage amount.

In Subchapter 19, PUD proposes new requirement that a contact number be listed in the telephone directory, newsletter, publications of the utility and on the homepage of utility website for (24) hour service deficiency or emergency; new requirement that accounts for elderly or customer with disabilities can request to be flagged for intervention by CSD; addition of name and toll-free number of CSD to bills.

In Subchapter 21, PUD proposes to clarify language for severe weather forecasting for disconnection of service for residential service and direction by PUD Director or designee; removal and addition of language for commission notification procedures for elderly and consumers with disabilities; added language and requirements for notice of disconnection of service; and requires the utility to submit a copy of the disconnection notice to PUD for approval prior to use.

In Subchapter 23, PUD proposes language to state the utility may refuse to provide service to an applicant when the applicant has not provided acceptable proof of identity and includes a list of acceptable proof of identity; allows members of the public, not only a utility's customer, to request an investigation of every complaint either directly or through the Commission; new requirement for temporary service not to exceed 90 days without notification and justification; and requires a utility to respond to PUD when a consumer complaint is submitted within a specific period of time depending on the reason for the complaint.

In Subchapter 25, PUD proposes adding a requirement for utilities to perform routine inspections of overhead electric supply lines and accessible facilities for hazards to the public; updating the electric code year; adds a new rule that addresses inspections of overhead facilities, the timing of those inspections, and where the records will be maintained and addresses duties of pole owners and pole occupants; and requires the utility to provide photographic evidence showing completion of work after PUD has informed the utility of an issue with plant, equipment, or facilities.

In Subchapter 27, PUD proposes to replace file or filing with submit or submitting.

In Subchapter 33, PUD proposes additional language for cybersecurity, and adds new requirements for reporting cybersecurity or infrastructure security events that affect immediate customers.

In Subchapter 35, PUD moves the sentence, 'the utility shall bear the burden of proof of prudence,' from one section to another.

In Subchapter 37, PUD proposes language to allow the utility to request an extension or waiver in submission of their integrated resource plans and imposes an 18 month limit on any extension.

In Subchapter 41, PUD proposes revoking the subchapter.

In Subchapter 43, PUD proposes include: replacing filing with submit; information annually to the Public Utility Division instead of filing an annual informational cause; and defining the role of the Public Utility Division in the annual submission process for Transmission Only Utilities ("TOU").

In Subchapter 45, PUD proposes adding the definitions for "Determination of No Hazard", "FAA", and "Local base commander"; stating the required documentation to be included when submitting an annual report to PUD; adding a requirement that notifications be submitted electronically to PUD; clarifying when submissions must be made to PUD; and modifying the notification of intent to build a wind energy facility section. PUD's proposed amendments align with the current proposals in the pending emergency rulemaking in Cause No. RM 201800009.

In APPENDIX A, PUD proposes updates to the Medical Verification Certificate to be consistent with other chapters.

NOTICE IS FURTHER GIVEN that the Commission has jurisdiction to initiate this permanent rulemaking pursuant to the Oklahoma Administrative Procedures Act, 75 O.S. 2011, §§ 250 *et seq.*, 17 O.S. § 152, and Article IX, Section 18 of the Oklahoma Constitution.

NOTICE IS FURTHER GIVEN that the PUD believes it is necessary to adopt permanent rules clarifying and simplifying existing law and to address changes in best practices. Upon adoption of the permanent rules proposed herein, by the Commission, the proposed rules shall be submitted to the Governor and the Oklahoma Legislature for approval as permanent rules.

NOTICE IS FURTHER GIVEN that the proposed rules will be made available for public inspection at the Commission's Oklahoma City Court Clerk's office, First Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. A copy of the proposed rules may be requested by phone at (405) 521-2352, email at courtclerk@occemail.com, or by visit to the Commission's Oklahoma City Court Clerk's Office. The proposed rules are also accessible on the Commission's website at <http://www.occeweb.com> and may be downloaded at no cost to the end user.

NOTICE IS FURTHER GIVEN that the Rule Impact Statement pursuant to 75 O.S. § 303(D) will be timely prepared and made available for public inspection in the Commission's Court Clerk's Office, First Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105, no later than fifteen (15) days after the date of publication of this Notice of Proposed Rulemaking.

NOTICE IS FURTHER GIVEN that PUD will have **technical conferences on November 20, 2018 at 10:00 a.m. and December 13, 2018 at 10:00 a.m.** in Courtroom 301 Third Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. All parties interested in the proposed rules are urged and welcome to attend. One or more of the Commissioners may be present at the technical conferences and may participate in the dialogue with the rulemaking participants regarding the issues of the proposed rulemaking.

NOTICE IS FURTHER GIVEN that the Commission invites all interested persons to **submit comments regarding the proposed changes to the Rules on or before December 3, 2018.** Those persons interested in submitting comments should file one (1) copy of their comments, referring to Cause No. RM 201800010, with the Commission's Court Clerk's Office.

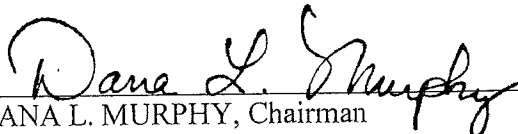
The comments will be made available for public inspection by telephone, email, or in-person request during regular business hours of the Court Clerk's Office, 8:00 a.m. to 4:30 p.m.

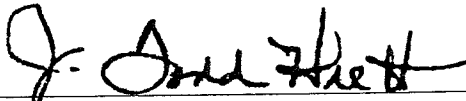
Pursuant to 75 O.S. §§ 303 and 504, business entities are requested, if the proposed rules affect such entities, to provide to the Commission in writing, a description of the probable quantitative (costs) and qualitative impact of the proposed rules, economic or otherwise, and use quantifiable data to the extent possible, taking into account both short-term and long-term consequences.

NOTICE IS FURTHER GIVEN that the **Commission en banc shall consider the adoption of the proposed permanent rules at a public hearing at 9:30 a.m. on January 31, 2019, in Courtroom 301**, Third Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105.

NOTICE IS FURTHER GIVEN that further information and inquiries regarding this proposed rulemaking should be directed to Jeff W. Kline, Assistant General Counsel, by telephone (405) 521-2308, e-mail j.kline@occemail.com, facsimile (405) 521-4150, or at Room 400, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105, or Post Office Box 52000, Oklahoma City, Oklahoma 73152-2000.

CORPORATION COMMISSION OF OKLAHOMA


DANA L. MURPHY, Chairman

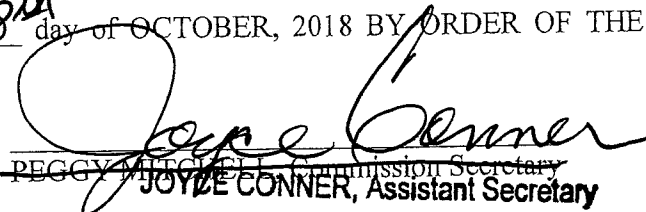

J. TODD HIATT, Vice Chairman


BOB ANTHONY, Commissioner

CERTIFICATION

DONE and PERFORMED this 18th day of OCTOBER, 2018 BY ORDER OF THE COMMISSION:

[Seal]


~~PEGGY MITCHELL, Commission Secretary~~
JOYCE CONNER, Assistant Secretary