

**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA**

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

**CAUSE NO. RM 201800010**

**FILED**  
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**RULE IMPACT STATEMENT**

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CORPORATION COMMISSION  
OF OKLAHOMA

Pursuant to 75 O.S. § 303(D) of the Oklahoma Administrative Procedures Act, the Public Utility Division ("PUD") of the Oklahoma Corporation Commission ("Commission") submits the following Rule Impact Statement for its proposed rules regarding Title 165, Chapter 35 of the Oklahoma Administrative Code ("OAC").

**I. Brief description of the purpose of the proposed rules:**

The purpose of the proposed rules is to make general grammatical, formatting, and spelling changes; shorten defined terms; add definitions for "Conduit", "CSD", "Delinquent", "Owner", "Pole", "Pole Occupant", "PUD", and "Support equipment"; remove the definition of "Corporation Commission"; clarify reporting requirements; clarify language for meters and billing; add the Commission's Emergency Liaison as a contact; add a new requirement for responses to customer complaint inquiries; change references in the rule from "filing" of information with the Commission to "submitting" information to the Commission; add language for cybersecurity; add new requirements for reporting cybersecurity or infrastructure security events that affect immediate customers; add a requirement for installation of service lines and marking of trenches for public safety; require promotional practices be submitted instead of being filed, and changes the submission date and the items to be included in the submission; update the National Electric Code year; add Electric Vehicle Supply Equipment as an exclusion from the sales for resale of electricity; add language to clarify the deadline for notice to the Commission prior to a utility selling power or energy to any consumer under Commission jurisdiction; clarify language for severe weather forecasting for disconnection of service; add a requirement for utilities to perform routine inspections of overhead electric supply lines and accessible facilities for hazards to the public; add 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; revokes the demand program rules; define the role of the PUD in the annual submission process for Transmission Only Utilities; add the definitions for "Determination of No Hazard", "FAA", and "Local base commander"; modify the notification of intent to build a wind energy facility section; and in APPENDIX A, update the Medical Verification Certificate to be consistent with other chapters.

**VII. Determination of whether implementation of the proposed rules may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:**

It is not anticipated that the proposed rules will have an adverse economic effect on small business.

**VIII. Explanation of the measures the agency has taken to minimize compliance cost and a determination of whether there are less costly or non-regulatory methods or less intrusive methods for achieving the purpose of the proposed rules:**

Pursuant to 17 O.S. § 160.22., the proposed rules will increase compliance cost on wind energy developers and PUD because the Oklahoma Wind Energy Development Act imposes the new compliance requirements. PUD believes that there are no non-regulatory methods or less intrusive methods for achieving the purpose of the proposed emergency rules.

**IX. Determination of the effect of the proposed rules on the public health, safety and environment and, if the proposed rules are designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rules will reduce the risk:**

As to the proposed rule changes to Subchapter 45 Wind Energy, if the proposed rules are not implemented, potential detrimental effects to the public health, safety and environment could result; due to the occurrence of extraordinary events beyond federal and/or state agency regulatory control, which results could be catastrophic to landowners, military bases, economic impact, national weather service radars, national security, and the public health, safety, and environment of Oklahomans. However, the proposed rules in the other Subchapters, are not specifically designed to reduce risks to the public health, safety, and environment; however, there is no anticipated effect of the proposed rules on public health, safety, or environment.

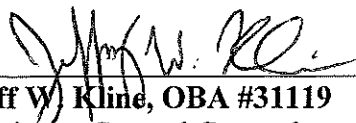
**X. Determination of any detrimental effect on the public health, safety and environment if the proposed rules are not implemented:**

As to the proposed rule changes to Subchapter 45 Wind Energy, if the proposed rules are not implemented, potential detrimental effects to the public health, safety and environment could result; due to the occurrence of extraordinary events beyond federal and/or state agency regulatory control, which results, could be catastrophic to landowners, military bases, economic impact, national weather service radars, national security, and the public health, safety, and environment of Oklahomans. However, the proposed rules in the other Subchapters, are not specifically designed to reduce risks to the public health, safety, and environment; however, there is no anticipated effect of the proposed rules on public health, safety, or environment.

**XI. Date of preparation of Rule Impact Statement:**

This Rule Impact Statement was prepared on the 2<sup>nd</sup> day of November, 2018.

Prepared by:



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