

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

JWK
IN THE MATTER OF A PERMANENT
RULEMAKING OF THE OKLAHOMA
CORPORATION COMMISSION AMENDING
OAC 165:40. STANDARD TERMS OF
PURCHASES FROM PURCHASERS OF 100
KW OR LESS

CAUSE NO. RM 201800011

FILED
OCT 18 2018

COURT CLERK'S OFFICE - OKC
CORPORATION COMMISSION
OF OKLAHOMA

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 Standard Terms of Purchases from Purchasers of 100 KW or Less Rules that are set forth in the Oklahoma Administrative Code ("OAC") 165:40.

The proposed changes to OAC 165:40 include changing the title of the chapter from 100 kW to 300 kW, and reflecting this change throughout the chapter.

In Subchapter 1, PUD proposes to add the definition of "PUD", and modify the definition of Small Power Producer to include leases and to remove the restriction on generators or utilities.

In Subchapter 5, PUD proposes updating the 2014 National Electrical Code to 2018 National Electrical Code and shortening "Public Utility Division" to "PUD".

In Subchapter 7, PUD proposes changing the limit for Standard Purchases from 100 kW to 300 kW.

In Subchapter 9, PUD proposes changing the availability limit for Standard Purchases to 300 kW, to remove the 25,000 kWh limit, to remove the reference to Wind purchases, and change the excess energy purchase limitation and proposing a time limit for billing period.

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 201800011, 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.

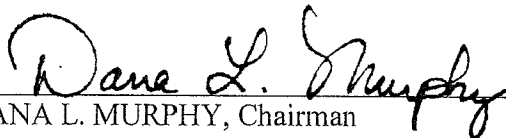
Pursuant to 75 O.S. §§ 303 and 504, business entities are requested, if the proposed rules affect such entities, to provide to the Commission in writing, a description of the probable quantitative (costs) and qualitative impact of the proposed rules, economic or otherwise, and use quantifiable data to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

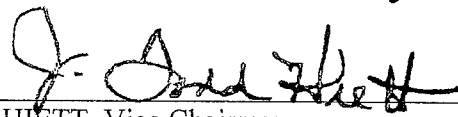
NOTICE IS FURTHER GIVEN that the **Commission en banc shall consider the adoption of the proposed permanent rules at a public hearing at 9:30 a.m. on January 31,**

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

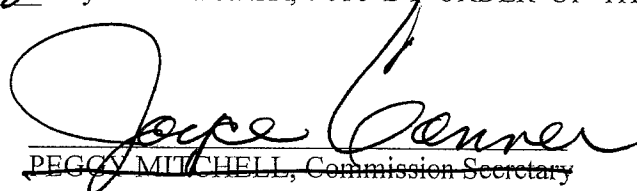

J. TODD HIATT, Vice Chairman


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