

**FILED**  
MAY 19 2016

BEFORE THE CORPORATION COMMISSION OF OKLAHOMA  
COURT CLERK'S OFFICE - OKC  
CORPORATION COMMISSION  
OF OKLAHOMA

JWK

IN THE MATTER OF AN EMERGENCY  
RULEMAKING OF THE  
OKLAHOMA CORPORATION  
COMMISSION AMENDING  
OAC 165:59, OKLAHOMA UNIVERSAL  
SERVICE AND OKLAHOMA LIFELINE  
RULES

CAUSE NO. RM 201600005

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**NOTICE OF PROPOSED EMERGENCY RULEMAKING**

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**NOTICE IS HEREBY GIVEN** that the Public Utility Division ("PUD") of the Oklahoma Corporation Commission ("Commission") recommends that in order to conform the Commission's rules to the procedures and requirements set forth in HB 2616, which became effective May 9, 2016, an emergency rulemaking should be initiated to amend the Oklahoma Universal Service Rules that are set forth in the Oklahoma Administrative Code ("OAC") 165:59.

The proposed changes to OAC 165:59 are to address changes to 17 O.S. §§ 139.101-139.109, and the adoption of 17 O.S. 139.109.1. The proposed changes include but are not limited to: independent auditing procedures, the addition of a preapproval process, modifying the process for requests for funding and requests for reconsiderations, clarifying the requirements to seek funding, clarifying eligibility for funding equipment, modifying the services that are deemed to be Special Universal Services, adding a competitive bidding process, adding definitions, and removing definitions already listed in the statute.

**NOTICE IS FURTHER GIVEN** that the Commission has jurisdiction to initiate this emergency rulemaking pursuant to the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 *et seq.*, 17 O.S. §§ 139.101 *et seq.*, and Article IX, Section 18 of the Oklahoma Constitution.

**NOTICE IS FURTHER GIVEN** that the PUD believes it is necessary to adopt these rules on an emergency basis due to the passage of HB 2616, which significantly modified the Oklahoma Universal Service Fund funding process. New rules are needed to conform to the new statutory structure.

**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. A copy of the proposed rules may be requested by phone at (405) 521-2352, email at [courtclerk@occemail.com](mailto:courtclerk@occemail.com), or by visiting the Commission's Oklahoma City Court Clerk's Office, located on the First Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. 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.

**NOTICE IS FURTHER GIVEN** that the PUD will have a **technical conference on Wednesday, June 8, 2016, at 10:00 a.m.** in Room 301, 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 conference 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 data, comments, or arguments regarding the proposed changes to the Rules on or before June 24, 2016.** Those persons interested in submitting data, comments, or arguments should file one (1) copy of their data, comments, or arguments, referring to Cause No. RM 201600005, with the Commission's Court Clerk's Office. The data, comments, or arguments 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 emergency adoption of the proposed rules at a public hearing at 9:30 a.m. on Tuesday,**

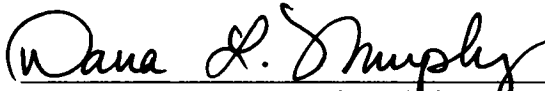
**June 28, 2016, in Courtroom 301, Third Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105.**

**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](mailto:j.kline@occemail.com), facsimile (405) 521-4150, or at Room 400, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, or Post Office Box 52000, Oklahoma City, Oklahoma 73152-2000.

CORPORATION COMMISSION OF OKLAHOMA



BOB ANTHONY, Chairman



DANA L. MURPHY, Vice Chairman



TODD HIETT, Commissioner

CERTIFICATION

DONE and PERFORMED this 19<sup>th</sup> day of May, 2016 BY ORDER OF  
THE COMMISSION:

[Seal]



PEGGY MITCHELL, Commission Secretary