

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

JWK
IN THE MATTER OF A PERMANENT
RULEMAKING OF THE OKLAHOMA
CORPORATION COMMISSION AMENDING
OAC 165:65, WATER SERVICE UTILITIES

CAUSE NO. RM 201800014

FILED
OCT 18 2018

NOTICE OF PROPOSED RULEMAKING

COURT CLERK'S OFFICE - OKC
CORPORATION COMMISSION
OF OKLAHOMA

NOTICE IS HEREBY GIVEN that the Public Utility Division ("PUD") of the Oklahoma Corporation Commission ("Commission") recommends that the Commission amend the Water Service Utility Rules that are set forth in the Oklahoma Administrative Code ("OAC") 165:65. The proposed changes generally address consumer services issues, general cleaning up throughout the Chapter, and simplifying processes for the industry to provide information to PUD.

The proposed changes to OAC 165:65 are as follows:

In each Subchapter, including in Subchapter 5, PUD proposes making general grammatical, formatting, and spelling changes, shortening defined terms, and clarifying business days versus calendar days.

In Subchapter 1, PUD proposes removing the definition of "Corporation Commission".

In Subchapter 3, PUD proposes adding in the requirement of photographic evidence to be provided to PUD when a utility is informed by PUD of any issue concerning plant, equipment or facilities; adding a requirement for installation of service lines and marking of trenches for public safety; adding a provision concerning events beyond the utility's control; updating the time period for acquisition and or merger; clarifying PUD's point of contact for restoration of service communication with the utility; and requiring the utility to provide an email address to PUD through which a representative of the utility may be contacted.

In Subchapter 7, PUD proposes adding additional language and requirements for slow meter, non-registering meters, billing issues, and installment payments; and requiring specific billing period for meters for incorrect register and incorrect usage amount.

In Subchapter 9, PUD proposes adding additional language for cybersecurity and new requirements for reporting cybersecurity or infrastructure security events that affect immediate customers; requiring the utility to clearly delineate utility and non-utility expenses and revenues; and adding new requirements for responses to customer complaint inquiries.

In Subchapter 11, PUD proposes adding contact information for the Consumer Services Division to customer bills; clarifying the method through which utilities are informed of a customer deposits interest rate change; revoking the notification procedure for elderly and/or consumers with disabilities; adding life-threatening situations to the "False information" section of delays to disconnection of residential service rules; denying a utility's ability to require a new customer deposit from a customer when the utility has no record of returning any previous customer deposit to that customer; removing and adding language for commission notification procedures for elderly and consumers with disabilities; and adding clarification language for severe weather forecasting for disconnection of service for residential service and direction by PUD Director or designee.

In Subchapter 13, PUD proposes requiring promotional practices be submitted instead of being filed, and changing the submission date and the items to be included in the submission.

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 201800014, 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.

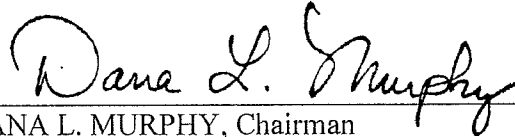
Pursuant to 75 O.S. §§ 303 and 504, business entities are requested, if the proposed rules affect such entities, to provide to the Commission in writing, a description of the probable quantitative (costs) and qualitative impact of the proposed rules, economic or otherwise, and use

quantifiable data to the extent possible, taking into account both short-term and long-term consequences.

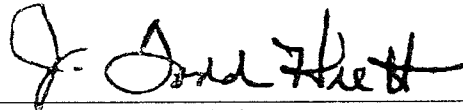
NOTICE IS FURTHER GIVEN that the **Commission en banc** shall consider the adoption of the proposed permanent rules at a public hearing at 9:30 a.m. on January 31, 2019, in Courtroom 301, Third Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105.

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@occcemail.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.

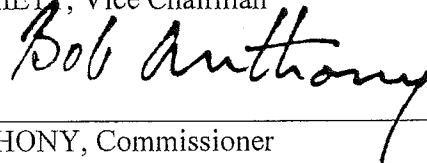
CORPORATION COMMISSION OF OKLAHOMA



DANA L. MURPHY, Chairman



J. TODD HIATT, Vice Chairman

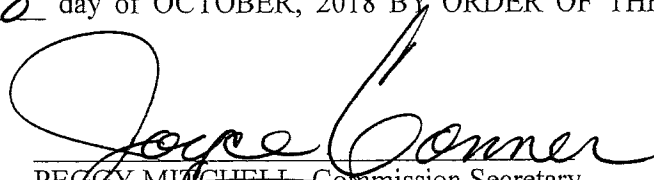


BOB ANTHONY, Commissioner

CERTIFICATION

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

[Seal]



~~PEGGY MITCHELL, Commission Secretary~~

JOYCE CONNER, Assistant Secretary