

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 3081

By: Fields

AS INTRODUCED

An Act relating to Corporation Commission; amending 17 O.S. 1991, Section 160.1, as last amended by Section 4, Chapter 328, O.S.L. 1995 (17 O.S. Supp. 1997, Section 160.1), which relates to the ratemaking authority of the Commission over certain public utilities; clarifying statutory language; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 17 O.S. 1991, Section 160.1, as last amended by Section 4, Chapter 328, O.S.L. 1995 (17 O.S. Supp. 1997, Section 160.1), is amended to read as follows:

Section 160.1 A. The Corporation Commission shall have ratemaking authority and general jurisdiction over all supply systems of natural gas, steam heat and steam serving the general public notwithstanding operation ~~thereof~~ of the system by a trust, authority, cooperative and subsidiary created for the benefit or furtherance of a public function pursuant to a trust or public trust, unless the said body operating said system has financing or is in the process of financing the acquisition, improvement or extension of the said system with a loan from the United States of America and is a nonprofit trust.

B. The Corporation Commission shall also have general supervision over any person or entity to whom the function of operating a natural gas, steam heat or steam supply system has been delegated by such a trust, authority, cooperative or subsidiary. Provided nothing herein shall be construed to apply to a public trust whose Board of Trustees is composed of elected officials or is elected by the customers or a majority of which is composed of members selected by the governing bodies of municipalities in which the public trust operates, or members which it serves, and which Board of Trustees has the authority to establish and regulate its own rates.

C. The Corporation Commission shall have ratemaking authority and general jurisdiction over all supply systems of steam and chilled water serving any portion of any municipality if such system serves more than fifty (50) off-site commercial customers within such municipality.

D. The Corporation Commission shall have the power to fix and establish rates and to prescribe rules, requirements and regulations affecting their services, operation and the management and conduct of the business of persons and entities subject to this act, Section 160.1 et seq. of this title, and shall inquire into the management of the business thereof, and the method in which same is conducted. It shall have full visitorial and inquisitorial power to examine such operations, and keep informed as to their general conditions, their capitalization, rates, plants, equipment, apparatus and other property owned, leased, controlled or operated, the value of same, the management, conduct, operation, practices and services, not only with respect to the adequacy, security and accommodation afforded by their service, but also with respect to their compliance with the Constitution and laws of this state, and with the orders of the Commission.

E. The ratemaking authority and general jurisdiction of the Corporation Commission, created under this act, shall be subject to the following exceptions:

1. The Corporation Commission shall not have ratemaking authority or general jurisdiction over:

- a. steam supply systems operated by public trusts which supply steam to customers presently served by or located within the mid-America industrial district, or
- b. an institution of higher education, or related entities, now operating such steam and chilled water facilities not for profit; and

2. The Commission shall not have authority to:

- a. compel an electric public utility to make inspections of consumer-owned facilities, or
- b. compel an electric public utility to provide electric utility service wherein the electric public utility believes such service is likely to endanger the public health and safety or the health and safety of employees of the electric public utility.

SECTION 2. This act shall become effective November 1, 1998.

46-2-8541

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