

05/16/2013 04:01:37 PM

May 13, 2013

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB1932

By: Jackson of the House and Marlatt of the Senate

Title: Energy; granting incumbent electric transmission owners the right to construct, own and maintain certain electric transmission facilities; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

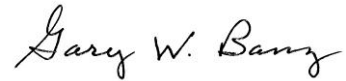
House Action _____ Date _____ Senate Action _____ Date _____

HB1932 CCR (A)
HOUSE CONFEREES

Armes, Don



Banz, Gary W.



Billy, Lisa J.



Brown, Mike

Brumbaugh, David

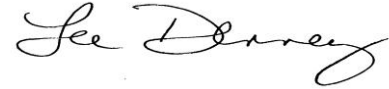


Cockroft, Josh



Cooksey, Marian

Denney, Lee



Hickman, Jeffrey W.

Inman, Scott

Joyner, Charlie



Kirby, Dan



Kouplen, Steve

Martin, Steve

McBride, Mark

McDaniel, Randy



McPeak, Jerry



Proctor, Eric

Pruett, R. C.

Reynolds, Mike

Roberts, Sean



Sanders, Mike



Schwartz, Colby



Scott, Seneca

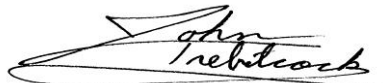


Sherrer, Ben



Stiles, Aaron

Trebilcock, John



Watson, Weldon

Wesselhoft, Paul



SENATE CONFEREES

Marlatt

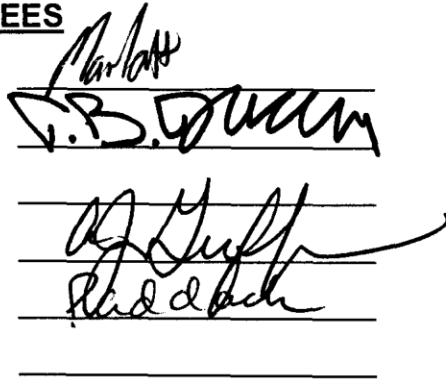
Branan

Bingman

Griffin

Paddack

Ellis

The image shows handwritten signatures for five individuals, each written on a set of three horizontal lines. The signatures are: 1. Marlatt (top line), 2. Branan (middle line), 3. Bingman (middle line), 4. Griffin (middle line), and 5. Paddack (middle line). The signature for Ellis is not present.

STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

CONFERENCE COMMITTEE
SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1932

By: Jackson of the House

and

Marlatt of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to energy; defining terms; granting incumbent electric transmission owners the right to construct, own and maintain certain local electric transmission facilities; granting an incumbent electric transmission owner certain rights to local electric transmission facilities; providing for the rights of two or more incumbent electric transmission owners to one local electric transmission facility; providing for the property rights of an incumbent electric transmission owner; requiring an incumbent electric transmission owner to give certain notice; stating results if notice is not provided; allowing the Southwest Power Pool to determine the right to build under certain circumstances; providing for ability of any person to notify the Southwest Power Pool for certain purpose; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 291 of Title 17, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Commission" means the Corporation Commission;

2. "Incumbent electric transmission owner" means any Oklahoma electric public utility, as recognized by the Commission, or its affiliates, or subsidiaries or any electric cooperative, any municipal power agency or any municipal utility that owns, operates and maintains an electric transmission facility in this state or any public utility, as recognized by the Commission, that is engaged in the development of an electric transmission facility in the state as of the effective date of this act;

3. "Local electric transmission facility" means a high-voltage transmission line or high-voltage associated transmission facilities with a rating of greater than sixty-nine (69) kilovolts and less than three hundred (300) kilovolts; and

4. "Southwest Power Pool" means the Southwest Power Pool or any federally recognized successor entity.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 292 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. An incumbent electric transmission owner has the right to construct, own and maintain a local electric transmission facility that has been approved for construction in a Southwest Power Pool transmission plan and will interconnect to facilities owned by that

1 incumbent electric transmission owner. An incumbent electric
2 transmission owner has the right to construct, own and maintain:

3 1. A new local electric transmission facility that connects to
4 electric transmission facilities owned by the incumbent; and

5 2. Upgrades to the existing local electric transmission
6 facilities of the incumbent.

7 B. The right to construct, own and maintain a local electric
8 transmission facility that will interconnect to facilities owned by
9 two or more incumbent electric transmission owners belongs
10 individually and equally to each incumbent electric transmission
11 owner, unless otherwise agreed upon in writing by the incumbent
12 electric transmission owners.

13 C. Nothing in this section is intended to affect an incumbent
14 electric transmission owner's use and control of its existing
15 property rights including the incumbent electric transmission
16 owner's ability to assign its rights to construct, own and maintain
17 a local electric transmission facility described in subsection A of
18 this section. The retention, modification or transfer of existing
19 property rights of an incumbent electric transmission owner and the
20 rights described in subsection A of this section shall remain
21 subject to the relevant state law or regulation recognizing the
22 property right.

1 SECTION 3. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 293 of Title 17, unless there is
3 created a duplication in numbering, reads as follows:

4 A. If the Southwest Power Pool has approved a local electric
5 transmission facility in a Southwest Power Pool transmission plan
6 and has formally directed the incumbent electric transmission owner
7 or owners, if there is more than one owner, to construct, own and
8 maintain the local electric transmission facility, the incumbent
9 electric transmission owner or owners shall give notice to the
10 Southwest Power Pool, in writing, within ninety (90) days of receipt
11 of the direction to construct by the Southwest Power Pool, regarding
12 its intent to construct, own and maintain the local electric
13 transmission facility. If notice is not provided, the incumbent
14 electric transmission owner shall surrender its right to construct,
15 own and maintain the local electric transmission facility.

16 B. If an incumbent electric transmission owner or owners give
17 notice of intent not to construct the local electric transmission
18 facility or fail to provide notice as required in subsection A of
19 this section, then the Southwest Power Pool may determine whether
20 the incumbent electric transmission owner or owners or other entity
21 will construct, own and maintain the local electric transmission
22 facility.

23 C. Nothing in this section is intended to limit the ability of
24 any person to notify the Southwest Power Pool that it believes an

1 incumbent electric transmission owner with the right to construct,
2 own and maintain a local electric transmission facility originally
3 approved by the Southwest Power Pool has failed to exercise its
4 right to construct, own and maintain the local electric transmission
5 facility within a reasonable period of time and request that the
6 Southwest Power Pool rescind the right to construct, own and
7 maintain the local electric transmission facility and assign the
8 rights to another incumbent electric transmission owner.

9 SECTION 4. This act shall become effective November 1, 2013.

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11 54-1-8036 KB 05/07/13

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