

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 3865

By: Brewer

AS INTRODUCED

An Act relating to distributed energy; amending 17 O.S. 2011, Section 156, as amended by Section 1, Chapter 93, O.S.L. 2014 (17 O.S. Supp. 2019, Section 156), which relates to distributed generation; striking definitions; modifying provisions related to rates or surcharges with respect to distributed generation; modifying provisions related to subsidization; eliminating requirement related to tariffs in compliance with certain provisions not later than designated effective date; and providing an effective date.

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

SECTION 1. AMENDATORY 17 O.S. 2011, Section 156, as amended by Section 1, Chapter 93, O.S.L. 2014 (17 O.S. Supp. 2019, Section 156), is amended to read as follows:

Section 156. ~~A. As used in this section:~~

~~1. "Distributed generation" means:~~

- ~~a. a device that provides electric energy that is owned, operated, leased or otherwise utilized by the customer,~~

- 1 ~~b. is interconnected to and operates in parallel with the~~
2 ~~retail electric supplier's grid and is in compliance~~
3 ~~with the standards established by the retail electric~~
4 ~~supplier,~~
- 5 ~~e. is intended to offset only the energy that would have~~
6 ~~otherwise been provided by the retail electric~~
7 ~~supplier to the customer during the monthly billing~~
8 ~~period,~~
- 9 ~~d. does not include generators used exclusively for~~
10 ~~emergency purposes,~~
- 11 ~~e. does not include generators operated and controlled by~~
12 ~~a retail electric supplier, and~~
- 13 ~~f. does not include customers who receive electric~~
14 ~~service which includes a demand-based charge.~~

15 ~~2. "Fixed charge" means any fixed monthly charge, basic~~
16 ~~service, or other charge not based on the volume of energy consumed~~
17 ~~by the customer, which reflects the actual fixed costs of the retail~~
18 ~~electric supplier.~~

19 ~~3. "Retail electric supplier" means an entity engaged in the~~
20 ~~furnishing of retail electric service within the State of Oklahoma~~
21 ~~and is rate regulated by the Oklahoma Corporation Commission.~~

22 ~~B. No retail electric supplier public utility shall increase~~
23 ~~rates charged or enforce a surcharge above that required to recover~~
24 ~~the full costs necessary to serve customers who install distributed~~

1 ~~generation on the customer side of the meter after the effective~~
2 ~~date of this act on the basis of the use or installation of a solar~~
3 ~~energy device by a consumer.~~

4 ~~C. No retail electric supplier shall allow customers with~~
5 ~~distributed generation installed after the effective date of this~~
6 ~~act to be subsidized by customers in the same class of service who~~
7 ~~do not have distributed generation.~~

8 ~~D. A higher fixed charge for customers within the same class of~~
9 ~~service that have distributed generation installed after the~~
10 ~~effective date of this act, as compared to the fixed charges of~~
11 ~~those customers who do not have distributed generation, is a means~~
12 ~~to avoid subsidization between customers within that class of~~
13 ~~service and shall be deemed in the public interest.~~

14 ~~E. Retail electric suppliers shall implement tariffs in~~
15 ~~compliance with this act no later than December 31, 2015.~~

16 SECTION 2. This act shall become effective November 1, 2020.

18 57-2-10148 MAH 01/05/20