

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

SENATE BILL 474

By: Boren

AS INTRODUCED

An Act relating to the Corporation Commission; providing definitions; exempting Distributed Energy Resource utility from the Retail Electric Supplier Certified Territory Act; authorizing Corporation Commission to promulgate certain rules; establishing time limit on act; requiring certain report; 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 810 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. As used in this section, "Distributed energy resource (DER) utility" means any company that produces, delivers or furnishes retail electric current for light, heat or power to a customer through a power purchase agreement with a customer provided that:

1. Generation occurs on the property of the customer that is contiguous with the use of that power; and

2. Generation shall not exceed one hundred twenty percent (120%) of the previous annual load of the customer.

1       B. As used in this section, "Customer" means an individual or a  
2 business partnership, limited liability company, corporation or  
3 other legal entity receiving service from an electric utility in the  
4 name of the individual or the entity.

5       A customer of a DER utility shall be limited to churches,  
6 synagogues, mosques and other faith-based institutions, unless  
7 otherwise provided by law. For the purposes of this section,  
8 "faith-based institution" means an organization, association,  
9 facility or program that offers services within a context of  
10 religious beliefs that are articulated by the organization's,  
11 association's, facility's or program's mission statement,  
12 affiliations or sponsoring entities.

13       C. A DER utility shall not be subject to the provisions of the  
14 Retail Electric Supplier Certified Territory Act, Section 158.21 et  
15 seq. of Title 17 of the Oklahoma Statutes, provided that the DER  
16 utility:

17       1. Files an application for grid interconnection with the  
18 Corporation Commission;

19       2. Submits an annual report on power generated by the DER  
20 utility to the Commission;

21       3. Receives approval from an applicable rate-setting entity the  
22 DER utility would operate within; and

23       4. Complies with any additional requirement established by the  
24 Commission.

1 D. The Corporation Commission shall promulgate rules as  
2 necessary to implement the provisions of this act.

3 E. The provisions of this act shall be valid until November 1,  
4 2031, at which time a report shall be issued by the Office of the  
5 Secretary of Energy and Environment within one (1) year, for  
6 consideration and determination of continuance of the provisions of  
7 this act.

8 SECTION 2. This act shall become effective November 1, 2021.

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