

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1789

By: Leewright

AS INTRODUCED

An Act relating to energy; amending 17 O.S. 2021, Section 156, which relates to retail electric suppliers; modifying definitions; and providing an effective date.

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

SECTION 1. AMENDATORY 17 O.S. 2021, 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 utility customer,
- b. is interconnected to and operates in parallel with the retail electric supplier's grid and is in compliance with the standards established by the retail electric supplier and any applicable regulatory entity,
- c. is intended to offset only the energy that would have otherwise been provided by the retail electric

1 supplier to the customer during the monthly billing
2 period,

3 d. does not include generators used exclusively for
4 emergency purposes,

5 e. does not include generators operated and controlled by
6 a retail electric supplier, and

7 f. does not include customers who receive electric
8 service which includes a demand-based charge.

9 2. "Fixed charge" means any fixed monthly charge, basic
10 service, fee, or other charge not based on the volume of energy
11 consumed by the customer, which reflects the actual fixed costs of
12 the retail electric supplier.

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

16 B. No retail electric supplier shall increase rates charged or
17 enforce a surcharge above that required to recover the full costs
18 necessary to serve customers who install distributed generation on
19 the customer side of the meter after ~~the effective date of this act~~
20 November 1, 2014.

21 C. No retail electric supplier shall allow customers with
22 distributed generation installed after ~~the effective date of this~~
23 ~~act~~ November 1, 2014, to be subsidized by customers in the same
24 class of service who do not have distributed generation.

1 D. A higher fixed charge for customers within the same class of
2 service that have distributed generation installed after ~~the~~
3 ~~effective date of this act~~ November 1, 2014, as compared to the
4 fixed charges of those customers who do not have distributed
5 generation, is a means to avoid subsidization between customers
6 within that class of service and shall be deemed in the public
7 interest.

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

10 SECTION 2. This act shall become effective November 1, 2022.

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