

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 3053

By: Boles and Williams of the
House

4 and

5 Rader of the Senate

6
7
8 An Act relating to energy; requiring Secretary of
9 Energy and Environment to evaluate relationship of
10 the Southwest Power Pool and the state; requiring
11 preparation of certain report; providing for
12 staffing; requiring report encompass certain areas;
13 providing report be completed by certain date;
14 providing for distribution of report; providing for
15 codification; and declaring an emergency.

16 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
17 entire bill and insert

18 "An Act relating to energy; requiring Corporation
19 Commission to evaluate relationship between the
20 Southwest Power Pool and the state; requiring
21 preparation of certain report; establishing report
22 contents; providing report be completed by certain
23 date; providing for distribution of report; providing
24 for codification; and declaring an emergency.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 294 of Title 17, unless there is
3 created a duplication in numbering, reads as follows:

4 A. The Corporation Commission shall coordinate with the
5 regional transmission organization known as the Southwest Power Pool
6 (SPP) to develop and provide a reporting of the regulatory and
7 statutory frameworks addressing the rule of the SPP as it pertains
8 to this state. The report shall provide a comprehensive assessment
9 of the impact of the SPP on the state's electricity infrastructure
10 and areas in which the state may desire further evaluation.

11 B. The report shall utilize the most recent twelve (12) months
12 of available data and shall include and consider the following:

13 1. An explanation of how decisions are made at the SPP,
14 including the Regional State Committee (RSC), and the impact of such
15 decisions on Oklahoma ratepayers;

16 2. The potential impact of decisions resulting from the SPP
17 process, including the RSC, on the state budget;

18 3. The current use of intermittent power sources to meet base
19 load capacity requirements and explanation on the SPP's decision-
20 making processes regarding the use of these intermittent sources;

21 4. The studies and processes used by the SPP to assess and
22 respond to demands, including transmission studies conducted;

23 5. Identification of SPP decisions and processes that may
24 impact Oklahoma's oil and natural gas industries;

1 6. Identification of areas in which Oklahoma stakeholders may
2 benefit from additional information being shared on events occurring
3 at the SPP;

4 7. The amount of power produced within Oklahoma that was
5 transmitted outside of the state through the SPP for the calendar
6 year ending December 31, 2023, the market value of such power, and
7 any benefit of this transmission to Oklahoma ratepayers;

8 8. The cost, if any, that is built into the most recent rate
9 cases with final orders previously before the Corporation Commission
10 for the construction and maintenance of generation and transmission
11 infrastructure which is used in whole or in part for the generation
12 and transmission of power for sale outside of Oklahoma; and

13 9. An explanation of the level of input the Corporation
14 Commission has on the processes and decisions of the SPP.

15 C. 1. The Commission shall ensure the completion of the report
16 no later than December 31, 2024.

17 2. A copy of the finalized report shall be submitted
18 electronically to the following entities:

- 19 a. the Governor,
- 20 b. the Speaker of the House of Representatives,
- 21 c. the President Pro Tempore of the Senate,
- 22 d. the Chair of the Utilities Committee of the House of
23 Representatives or successor committee,

- 1 e. the Chair of the Energy and Telecommunications
2 Committee of the Senate or successor committee, and
3 f. the Chair of the Energy and Natural Resources
4 Committee of the House of Representatives or successor
5 committee.

6 SECTION 2. It being immediately necessary for the preservation
7 of the public peace, health or safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval."

10 Passed the Senate the 23rd day of April, 2024.

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12 _____
13 Presiding Officer of the Senate

14 Passed the House of Representatives the ____ day of _____,
15 2024.

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17 _____
18 Presiding Officer of the House
19 of Representatives
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1 ENGROSSED HOUSE
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7 An Act relating to energy; requiring Secretary of
8 Energy and Environment to evaluate relationship of
9 the Southwest Power Pool and the state; requiring
10 preparation of certain report; providing for
11 staffing; requiring report encompass certain areas;
12 providing report be completed by certain date;
13 providing for distribution of report; providing for
14 codification; and declaring an emergency.

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

16 SECTION 3. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 294 of Title 17, unless there is
18 created a duplication in numbering, reads as follows:

19 A. The Secretary of Energy and Environment shall lead the
20 evaluation of the regulatory and statutory frameworks governing the
21 relationship between the Southwest Power Pool (SPP) and the State of
22 Oklahoma. The objective of this evaluation is to prepare a
23 comprehensive report containing recommendations aimed at enhancing
24 the benefits for electricity ratepayers in Oklahoma by assessing the

1 impact of the SPP on Oklahoma's electricity infrastructure and
2 recommending improvements. The staff of the Oklahoma Corporation
3 Commission shall provide support to the Secretary in conducting this
4 evaluation.

5 B. The report shall encompass the following areas for
6 examination:

- 7 1. The impact of the SPP on Oklahoma ratepayers and the level
8 of input from the Corporation Commission regarding SPP decisions;
- 9 2. Implications of SPP decisions on the Oklahoma state budget;
- 10 3. The reliance of SPP base load capacity on intermittent power
11 sources;
- 12 4. The current availability of SPP base load power generation
13 to meet existing demand;
- 14 5. Future projections and adequacy of planned SPP base load
15 power generation to meet anticipated needs;
- 16 6. Overall impact of the SPP on Oklahoma's oil and natural gas
17 companies and the state economy;
- 18 7. Identification of areas requiring modification within the
19 regulatory and statutory framework, prioritizing the best interests
20 of Oklahoma ratepayers and taxpayers;
- 21 8. The amount of power produced in Oklahoma by each entity
22 subject to the jurisdiction of the Corporation Commission;

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1 9. The amount of power produced within Oklahoma which is
2 transmitted outside of the state as well as the market value of said
3 power; and

4 10. The cost, if any, that is built into rate cases before the
5 Corporation Commission for the construction and maintenance of
6 generation and transmission infrastructure which is used in whole or
7 in part for the generation and transmission of power for sale
8 outside of Oklahoma.

9 C. 1. The Secretary shall ensure the completion of the report
10 no later than November 1, 2024.

11 2. A copy of the finalized report shall be submitted to the
12 following entities:

- 13 a. Governor of the State of Oklahoma,
- 14 b. Speaker of the Oklahoma House of Representatives,
- 15 c. President Pro Tempore of the Oklahoma State Senate,
- 16 d. Chair of the Utilities Committee of the Oklahoma House
17 of Representatives or successor committee,
- 18 e. Chair of the Energy Committee of the Oklahoma State
19 Senate or successor committee, and
- 20 f. Chair of the Energy and Natural Resources Committee of
21 the Oklahoma House of Representatives or successor
22 committee.

23 SECTION 4. It being immediately necessary for the preservation
24

