

1 ENGROSSED SENATE  
2 BILL NO. 480

3 By: Green of the Senate

4 and

5 Boles of the House

6 An Act relating to utilities; amending 17 O.S. 2021,  
7 Section 151, as amended by Section 1, Chapter 67,  
8 O.S.L. 2024 (17 O.S. Supp. 2024, Section 151), which  
9 relates to the definition of a public utility;  
10 deleting certain exception; modifying certain  
11 exception to definition; allowing certain entities to  
12 receive electricity; authorizing certain refusal to  
13 provide electricity; stating certain rights still  
14 available; requiring certain use of natural gas;  
15 updating statutory reference; updating statutory  
16 language; providing an effective date; and declaring  
17 an emergency.

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

19 SECTION 1. AMENDATORY 17 O.S. 2021, Section 151, as  
20 amended by Section 1, Chapter 67, O.S.L. 2024 (17 O.S. Supp. 2024,  
21 Section 151), is amended to read as follows:

22 Section 151. A. 1. The term "public utility" as used in  
23 Sections 151 through 155 of this title, shall be taken to mean and  
24 include every corporation, association, company, individuals, their  
trustees, lessees, or receivers, successors or assigns, except as  
hereinafter provided, and except cities, towns, or other bodies  
politic, that now or hereafter may own, operate, or manage any plant  
or equipment, or any part thereof, directly or indirectly, for

1 public use, or may supply any commodity to be furnished to the  
2 public.:

3 (a) For

4 a. for the conveyance of gas by pipeline,

5 (b) For

6 b. for the production, transmission, delivery, or  
7 furnishing of heat or light with gas,

8 (c) For

9 c. for the production, transmission, delivery, or  
10 furnishing of electric current for light, heat, or  
11 power, or

12 (d) For

13 d. for the transportation, delivery, or furnishing of  
14 water for domestic purposes or for power. Provided  
15 further, that a corporation organized and existing not  
16 for profit pursuant to Title 18 of the Oklahoma  
17 Statutes, Sections 851-863, but for the purpose of  
18 developing and providing rural water supply and sewage  
19 disposal facilities to serve rural residents shall not  
20 be declared a public utility under this ~~act~~ section,  
21 and shall be exempt in any and all respects from the  
22 jurisdiction and control of the Corporation Commission  
23 of this state.

1       2. The term "Commission" shall be taken to mean the Corporation  
2 Commission ~~of Oklahoma~~.

3       B. Provided, that:

4       1. ~~In Washington County, where any corporation, association,~~  
5 ~~company, individuals, their trustees, lessees, or receivers,~~  
6 ~~successors or assigns, is engaged in the private business of~~  
7 ~~manufacturing any products other than those hereinbefore defined,~~  
8 ~~and in the manufacture of such products operate and maintain private~~  
9 ~~electric or water plants for its own power and electrical energy or~~  
10 ~~water used in its manufacturing plant, without the right of eminent~~  
11 ~~domain and without the use of streets, highways or public property,~~  
12 ~~it may contract upon terms and prices approved by Corporation~~  
13 ~~Commission the sale of a bona fide surplus of electrical energy or~~  
14 ~~water developed in such private plants to any public utility engaged~~  
15 ~~in manufacturing and distributing electrical energy in Washington~~  
16 ~~County, Oklahoma, without becoming a public utility. Provided~~  
17 ~~further any city or town within a county having a population of over~~  
18 ~~five hundred thousand (500,000) or any county having a population of~~  
19 ~~over five hundred thousand (500,000), according to the 1970 Federal~~  
20 ~~Census, which is a beneficiary of a public trust that has multiple~~  
21 ~~beneficiaries and that includes within any or all of its boundaries~~  
22 ~~a water supply and/or distribution system, or any portion thereof,~~  
23 ~~shall have the authority to condemn all or any portion of any water~~  
24 ~~supply and/or distribution system owned and/or operated and/or~~

1 leased by a public trust within the limits of the condemning city or  
2 town or within the unincorporated areas of the condemning county;  
3 provided the power granted hereunder shall not be exercised until  
4 the condemning city, town or county shall have made provision to pay  
5 off all outstanding bonded indebtedness incurred by the public  
6 trust, including interest on the bonds to maturity of the bonds, or  
7 first call date, and premium, if any, to which the property to be  
8 condemned or the revenues therefrom has been pledged for security.

9 2. The the term public utility shall not include or be taken to  
10 mean a corporation, association, company, individuals, their  
11 trustees, lessees, receivers, successors, or assigns assignees  
12 engaged in the production of green hydrogen electricity, provided  
13 that such entity furnishes an electric service or commodity only on  
14 the premises directly to itself, an affiliate, or tenants solely  
15 engaged in the production of green hydrogen on the premises or  
16 indirectly by contracting with a public utility, rural electric  
17 cooperative, or municipality for the purpose of furnishing electric  
18 service to a specific customer or is an exempt wholesale generator,  
19 so long as that service or commodity is not resold as retail  
20 electric service or supplied indirectly or directly for public use.  
21 Nothing herein shall relieve such an entity of its obligation to  
22 comply with state and federal grid interconnection and registration  
23 requirements and associated costs from the applicable regional  
24 transmission organization or public utility in the state, nor shall

1 ~~it limit any party from asserting a right they may otherwise be~~  
2 ~~entitled to under Oklahoma law. There shall not be a requirement or~~  
3 an obligation for a public utility to serve any customer receiving  
4 electric service from an entity described herein. Further, it shall  
5 not limit any party from asserting a right they may otherwise be  
6 entitled to under Oklahoma law including filings with the  
7 Commission. Additionally, any project pursuant to this act shall be  
8 required to utilize a natural gas component in their power  
9 generation capacity.

10 SECTION 2. This act shall become effective July 1, 2025.

11 SECTION 3. It being immediately necessary for the preservation  
12 of the public peace, health or safety, an emergency is hereby  
13 declared to exist, by reason whereof this act shall take effect and  
14 be in full force from and after its passage and approval.

15 Passed the Senate the 25th day of March, 2025.

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18 Presiding Officer of the Senate  
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20 Passed the House of Representatives the \_\_\_\_\_ day of \_\_\_\_\_,  
21  
22 2025.  
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26 Presiding Officer of the House  
27 of Representatives  
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