

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 ENGROSSED SENATE
5 BILL NO. 480

6 By: Green of the Senate

7 and

8 Boles of the House

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

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

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

25 Section 151. A. 1. The term "public utility" as used in
26 Sections 151 through 155 of this title, shall be taken to mean and
27 include every corporation, association, company, individuals, their
28 trustees, lessees, or receivers, successors or assigns, except as

1 hereinafter provided, and except cities, towns, or other bodies
2 politic, that now or hereafter may own, operate, or manage any plant
3 or equipment, or any part thereof, directly or indirectly, for
4 public use, or may supply any commodity to be furnished to the
5 public.:

6 (a) For

7 a. for the conveyance of gas by pipeline.;

8 (b) For

9 b. for the production, transmission, delivery, or
10 furnishing of heat or light with gas.;

11 (c) For

12 c. for the production, transmission, delivery, or
13 furnishing of electric current for light, heat, or
14 power. or

15 (d) For

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

1 jurisdiction and control of the Corporation Commission
2 of this state.

3 2. The term "Commission" shall be taken to mean the Corporation
4 Commission of Oklahoma.

5 B. Provided, that:

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

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

11 2. The the term public utility shall not include or be taken to
12 mean a corporation, association, company, individuals, their
13 trustees, lessees, receivers, successors, or assigns assignees
14 engaged in the production of green hydrogen electricity, provided
15 that such entity furnishes an electric service or commodity only on
16 the premises directly to itself, an affiliate, or tenants solely
17 engaged in the production of green hydrogen on the premises or
18 indirectly by contracting with a public utility, rural electric
19 cooperative, or municipality for the purpose of furnishing electric
20 service to a specific customer or is an exempt wholesale generator,
21 so long as that service or commodity is not resold as retail
22 electric service or supplied indirectly or directly for public use.
23 Nothing herein shall relieve such an entity of its obligation to
24 comply with state and federal grid interconnection and registration

1 requirements and associated costs from the applicable regional
2 transmission organization or public utility in the state, ~~nor shall~~
3 ~~it limit any party from asserting a right they may otherwise be~~
4 ~~entitled to under Oklahoma law. There shall not be a requirement or~~
5 an obligation for a public utility to serve any customer receiving
6 electric service from an entity described herein. Further, it shall
7 not limit any party from asserting a right they may otherwise be
8 entitled to under Oklahoma law including filings with the
9 Commission. Additionally, any project pursuant to this act shall be
10 required to utilize a natural gas component in their power
11 generation capacity.

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

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

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18 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND NATURAL RESOURCES,
dated 04/16/2025 - DO PASS.
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