

1                           **SENATE FLOOR VERSION**

2                           February 20, 2025

3 COMMITTEE SUBSTITUTE  
4 FOR  
5 SENATE BILL NO. 480

By: Green of the Senate

6                           and

7                           Boles of the House

8

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 definition of a public utility; modifying  
13                          certain exception to definition; updating statutory  
14                          language; updating statutory reference; and providing  
15                          an effective date.

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

17                          SECTION 1.       AMENDATORY       17 O.S. 2021, Section 151, as

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

20                          Section 151. A. 1. The term "public utility" as used in  
21                          Sections 151 through 155 of this title, shall be taken to mean and  
22                          include every corporation, association, company, ~~individuals~~  
23                          individual, their trustees, lessees, or receivers, successors or  
24                          assigns, except as hereinafter provided, and except cities, towns,

1 or other bodies politic, that now or hereafter may own, operate, or  
2 manage any plant or equipment, or any part thereof, directly or  
3 indirectly, for public use, or may supply any commodity to be  
4 furnished to the public:-:

5       (a) For

6       a. for the conveyance of gas by pipeline,-,

7       (b) For

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

10     (c) For

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

14     (d) For

15     d. for the transportation, delivery,, or furnishing of  
16                   water for domestic purposes or for power. Provided  
17                   further,, that a corporation organized and existing not  
18                   for profit pursuant to Title 18 of the Oklahoma  
19                   Statutes, Sections 851-863, but for the purpose of  
20                   developing and providing rural water supply and sewage  
21                   disposal facilities to serve rural residents shall not  
22                   be declared a public utility under this ~~act~~ section,  
23                   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 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~~ individual,  
13 their trustees, lessees, receivers, successors, or assigns engaged  
14 in the production of ~~green hydrogen~~ electricity, provided that such  
15 entity furnishes an electric service or commodity only to itself, an  
16 affiliate, or tenants ~~solely engaged in the production of green~~  
17 ~~hydrogen~~ on the premises, so long as that service or commodity is  
18 not resold as retail electric service. Nothing herein shall relieve  
19 such an entity of its obligation to comply with state and federal  
20 grid interconnection and registration requirements and associated  
21 costs from the applicable regional transmission organization or  
22 public utility in the state, nor shall it limit any party from  
23 asserting a right they may otherwise be entitled to under Oklahoma  
24 law.

1 SECTION 2. This act shall become effective November 1, 2025.

2 COMMITTEE REPORT BY: COMMITTEE ON ENERGY  
3 February 20, 2025 - DO PASS AS AMENDED BY CS

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