

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE
FOR
4 SENATE BILL 480

By: Green of the Senate

5 and

6 Boles of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to utilities; amending 17 O.S. 2021,
11 Section 151, as amended by Section 1, Chapter 67,
12 O.S.L. 2024 (17 O.S. Supp. 2024, Section 151), which
13 relates to definition of a public utility; modifying
certain exception to definition; updating statutory
language; updating statutory reference; and providing
an effective date.

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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.

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3 60-1-1660

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