

**Minutes of the  
Oklahoma Corporation Commission  
State of Oklahoma**

**July 23, 2024 – 1:30 p.m.**

These are the minutes for the Corporation Commission’s (“Commission”) regular meeting conducted in accordance with the Open Meeting Act on July 23, 2024, in the Concourse Theater, Suite C50, Will Rogers Memorial Office Building, 2401 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. Archived Commission meeting recordings may be accessed on the Commission’s website.

The notice and agenda for the meeting were publicly posted at the principal office of the Commission at the Will Rogers Memorial Office Building, 2401 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105 at 12:30 p.m., July 22, 2024, by Commission employees acting under the direction of Chairman J. Todd Hiatt. The notice and agenda are also made available to the public on the Commission’s website, [oklahoma.gov/occ](http://oklahoma.gov/occ). A copy of the notice and agenda is attached to these minutes as Appendix A.

Chairman Hiatt called the meeting to order at 1:30 p.m.

Members present were Chairman Todd Hiatt, Vice Chairman Kim David, and Commissioner Bob Anthony. A quorum of the Commission was present. Interested persons participated in the meeting in person or by teleconference/videoconference when and as authorized.

**Approval of minutes of prior meeting(s)** Commissioner Hiatt **CALLED FOR APPROVAL** of the following minutes of prior meetings read for consideration: May 30, 2024, at 9:30 a.m.; June 4, 2024, at 10:00 a.m.; June 5, 2024, at 1:30 p.m.; June 13, 2024, at 1:30 p.m.; June 17, 2024, at 8:30 a.m.; June 25, 2024, at 1:30 p.m.; July 2, 2024, at 1:30 p.m. The Commissioners unanimously approved the minutes.

**Consideration of proposed or potential orders in cases on attached 24-hour signing agenda docket. The Commission may discuss and consider alterations, revisions, or amendments to the proposed or potential orders. (Votes may be taken on individual cases on the 24-hour signing agenda docket as a whole, or both by individual cases and the remaining docket.)** Commissioner Hiatt announced the agenda item. The Commissioners unanimously approved the proposed orders, with the exception of an *Order Granting Motion for Order Prescribing Notice* in Case No. PUD2024-000031 and in Case No. PUD2024-000038, in neither of which Commissioner Anthony participated.

**Discussion, possible action, and possible public comment, if authorized, on whether proceeding with Item V is procedurally appropriate, including consideration of any concerns with the timeline of the referenced filing given the schedule announced in the case and for which notice was provided in the case, and given that Item V is posted to only allow one commenter to make a presentation in a matter where multiple commenters submitted numerous filings** Commissioner Hiatt announced the agenda item and recognized William

Humes, counsel for Oklahoma Gas and Electric (“OG&E”), who offered OG&E’s position on this matter. Commissioner Hiatt recognized Natasha Scott, chief legal counsel for the Public Utility Division (“PUD”), who offered PUD’s position on this matter. Commissioner Hiatt recognized Jack Fite, counsel for Public Service Company of Oklahoma (“PSO”), who gave public comment. Commissioner Hiatt recognized A. Chase Snodgrass, Deputy Attorney General, who offered the Oklahoma Attorney General’s position on this matter. Discussion was held. Commissioner Anthony recognized Mr. David Greenwell, who gave public comment. No actions were taken.

**Submitted by Commissioner Bob Anthony:**

**Ten-minute presentation by David Greenwell, CPA, CFF, CFE regarding his July 8, 2024 “Public Confusion over Audits is Unnecessary and Problematic” public comment filed in OCC Case No. GD 2023-000005 (<https://public.occ.ok.gov/WebLink/DocView.aspx?id=16824207>), followed by possible commissioner questions and discussion. Topics to include the Oklahoma Accountancy Act (59 O.S. § 15.1 *et seq.*), Title 10 of the Oklahoma Administrative Code governing the Oklahoma Accountancy Board, the 2021 Securitization Act (74 O.S. § 9070 *et seq.*) and Greenwell’s assessments including:**

**[W]hen “any statute” requires an “audit,” the law requires the audit to be conducted by a Certified Public Accountant (“CPA”) or Public Accountant (“PA”) licensed by the Oklahoma Accountancy Board and “performed in accordance with generally accepted auditing standards in the United States.”**

...

**[T]he Rules/Code of Professional Conduct governing the CPAs and PAs legally mandated to conduct statutorily required audits demand that such auditors be independent in fact and appearance.**

...

**From my research, it does not appear the audit activities overseen by the Oklahoma Corporation Commission (“OCC”) have complied with the auditing requirements specified in the statute establishing the 2021 Winter Storm bond program (74 O.S. § 9070 *et seq.*, sometimes called the “Securitization Act”). This compliance failure apparently occurred with respect to the utilities’ original February 2021 Winter Storm “Uri” costs (§74- 9073) and to the treatment of the subsequent financing costs incurred by using ratepayer-backed bonds (§74- 9078). Consequently, this assessment applies both to the OCC’s past “audit” activities and those it claims are ongoing.**

...

**I respectfully suggest the Oklahoma Corporation Commission examine its compliance with the Oklahoma Accountancy Act – both with respect to the requirements of the Securitization Act and more broadly – so that the agency’s internal auditing, review and examination processes and procedures might be brought in line with state statutes and governmental auditing standards in**

**name and in practice. Further, I caution the Commission to be careful to avoid casually or informally using the term “audit” to describe any of its official responsibilities or activities without ensuring that it is in full compliance with the Oklahoma Statutes when doing so.** Following discussion on agenda item number VI, Commissioner Anthony presented this agenda item. No discussion was held.

**Case No. PUD2024-000032, Application of Public Service Company of Oklahoma, an Oklahoma Corporation, for a Proceeding before the Commission En Banc as Provided for by Order No. 738226 to Address the Private Letter Ruling Received from the Internal Revenue Service**

- A. **Discussion, possible hearing and possible vote(s) on Public Service Company of Oklahoma (“PSO”)’s Motion to Determine Notice**  
B. **Discussion, possible hearing and possible vote(s) on PSO’s Motion for Procedural Order**  
C. **Consideration of and possible vote(s) on proposed or potential orders regarding VI(A)-(B), including alterations, revisions, or amendments to such orders proposed at the meeting** Commissioner Hiett announced the agenda item, and took appearances from the parties. Commissioner Hiett opened the floor for public comment. No public comment was given. Discussion was held. Commissioner Hiett **CALLED FOR A VOTE** on both PSO’s *Motion to Determine Notice* and PSO’s *Motion for Procedural Order*.

<b><u>VOTE:</u></b>	<b>Commissioner Hiett</b>	<b>Aye</b>
	<b>Commissioner David</b>	<b>Aye</b>
	<b>Commissioner Anthony</b>	<b>Aye</b>

**The orders are approved.**

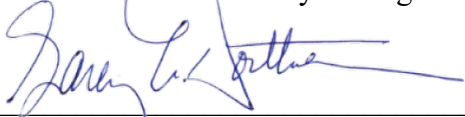
**New Business** There was no new business.

**Adjournment** The meeting adjourned at 2:38 p.m.



Kim David, Chairman

ATTESTED this 20th day of August 2024.

  
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Gary L. Wortham, Commission Secretary

**OKLAHOMA CORPORATION COMMISSION**  
**Notice of Public Meeting**  
**Regular Meeting**

Notice is hereby given to all persons that the Oklahoma Corporation Commission (“Commission”) shall meet and conduct business, as follows:

**Time, Day, and Date:** 1:30 p.m. Tuesday, July 23, 2024

**Place:** **Concourse Theater, Suite C50, Will Rogers Memorial Office Building, 2401 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105**

The Concourse Theater is in the tunnel between the Will Rogers Memorial Office Building and the Sequoyah Memorial Office Building in the Capitol Complex

**Purpose:** Conducting of daily business enumerated in the items below

**Posting Division:** Chairman J. Todd Hiatt

**AGENDA**

<b>Item</b>	<b>Topic</b>
I	A. Call to order B. Announcement concerning public notice C. Determination of quorum
II	Approval of minutes of prior meeting(s)
III	Consideration of proposed or potential orders in cases on attached <b>24-hour signing agenda</b> docket. The Commission may discuss and consider alterations, revisions, or amendments to the proposed or potential orders. (Votes may be taken on individual cases on the 24-hour signing agenda docket as a whole, or both by individual cases and the remaining docket.)
IV	Discussion, possible action, and possible public comment, if authorized, on whether proceeding with Item V is procedurally appropriate, including consideration of any concerns with the timeline of the referenced filing given the schedule announced in the case and for which notice was provided in the case, and given that Item V is posted to only allow one commenter to make a presentation in a matter where multiple commenters submitted numerous filings

V

Submitted by Commissioner Bob Anthony:

Ten-minute presentation by David Greenwell, CPA, CFF, CFE regarding his July 8, 2024 “Public Confusion over Audits is Unnecessary and Problematic” public comment filed in OCC Case No. GD 2023-000005 (<https://public.occ.ok.gov/WebLink/DocView.aspx?id=16824207>), followed by possible commissioner questions and discussion. Topics to include the Oklahoma Accountancy Act (59 O.S. § 15.1 *et seq.*), Title 10 of the Oklahoma Administrative Code governing the Oklahoma Accountancy Board, the 2021 Securitization Act (74 O.S. § 9070 *et seq.*) and Greenwell’s assessments including:

**[W]hen “any statute” requires an “audit,” the law requires the audit to be conducted by a Certified Public Accountant (“CPA”) or Public Accountant (“PA”) licensed by the Oklahoma Accountancy Board and “performed in accordance with generally accepted auditing standards in the United States.”**

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VI	<p>Case No. PUD2024-000032, <i>Application of Public Service Company of Oklahoma, an Oklahoma Corporation, for a Proceeding before the Commission En Banc as Provided for by Order No. 738226 to Address the Private Letter Ruling Received from the Internal Revenue Service</i></p> <p>A. Discussion, possible hearing and possible vote(s) on Public Service Company of Oklahoma (“PSO”)’s <i>Motion to Determine Notice</i></p> <p>B. Discussion, possible hearing and possible vote(s) on PSO’s <i>Motion for Procedural Order</i></p> <p>C. Consideration of and possible vote(s) on proposed or potential orders regarding VI(A)-(B), including alterations, revisions, or amendments to such orders proposed at the meeting</p>
VII	<p>New business</p> <p>A. Any matter not known about and which could not have been reasonably foreseen 24 hours before the meeting</p> <p>B. Possible vote(s) on matters of new business</p>
VIII	Adjournment

The Commission may take up the above items of business in a different sequence than that listed.

The meeting is open to the public.

This notice was posted prominently and publicly at the principal offices of the Oklahoma Corporation Commission at the Will Rogers Memorial Office Building, 2401 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105 at 12:30 p.m., Monday, July 22, 2024.



**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA 24 HR SIGNING AGENDA (PROPOSED ORDERS)**

**Date:** Tuesday, July 23, 2024

**Time:** 1:30 PM

**Place:** CONCOURSE THEATER - WILL ROGERS BUILDING

**Case Number** PUD2024-000001      **Order Type** Final      **RSO** OKC

**Parties** IMPACT TELECOM LLC (Applicant)      **Relief In Caption** IN THE MATTER OF THE APPLICATION OF IMPACT TELECOM, LLC FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE INTRASTATE TOLL TELECOMMUNICATIONS SERVICES WITHIN THE STATE OF OKLAHOMA

**Order Title** FINAL ORDER GRANTING CERTIFICATE OF CONVENIENCE AND NECESSITY AND APPROVAL OF INITIAL TARIFF

**Case Number** PUD2024-000008      **Order Type** Final      **RSO** OKC

**Parties** TRUCONNECT COMMUNICATIONS INC (Applicant)      **Relief In Caption** APPLICATION OF TRUCONNECT COMMUNICATIONS, INC. FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER IN THE STATE OF OKLAHOMA

**Order Title** FINAL ORDER

**Case Number** PUD2024-000012      **Order Type** Motion      **RSO** OKC

**Parties** SUMMIT UTILITIES OKLAHOMA INC (Applicant)      **Relief In Caption** IN THE MATTER OF THE APPLICATION OF SUMMIT UTILITIES OKLAHOMA, INC. FOR APPROVAL OF AN ALTERNATIVE PROCESS FOR ACQUISITION OF HYDROGEN FUEL SOURCE AND FOR WAIVER OF APPLICABLE COMPETITIVE BIDDING RULES

**Order Title** ORDER GRANTING MOTION TO ESTABLISH PROCEDURAL SCHEDULE

**Case Number** PUD2024-000028      **Order Type** Final      **RSO** OKC

**Parties** ARGENBRIGHT, MARK (Applicant) | ELECTRIC LIGHTWAVE LLC (Respondent)      **Relief In Caption** APPLICATION OF MARK ARGENBRIGHT, DIRECTOR OF THE PUBLIC UTILITY DIVISION OF THE OKLAHOMA CORPORATION COMMISSION, REQUESTING THE CANCELLATION OF THE CERTIFICATE OF CONVENIENCE AND NECESSITY OF ELECTRIC LIGHTWAVE, LLC D/B/A ALLSTREAM

**Order Title** FINAL ORDER CANCELLING CERTIFICATE OF CONVENIENCE AND NECESSITY

**Case Number** PUD2024-000031      **Order Type** Motion      **RSO** OKC

**Parties** ARGENBRIGHT, MARK (Applicant) | GREENLIGHT GAS LLC (Respondent)      **Relief In Caption** APPLICATION OF MARK ARGENBRIGHT, DIRECTOR OF THE PUBLIC UTILITY DIVISION, OKLAHOMA CORPORATION COMMISSION, FOR A PUBLIC HEARING TO REVIEW AND MONITOR APPLICATION OF THE FUEL ADJUSTMENT CLAUSE OF GREENLIGHT GAS, LLC, AND WEST TEXAS GAS, INC., AND FIRST NATURAL GAS, FOR THE CALENDAR YEAR 2023 AND, FOR A PRUDENCE REVIEW OF THE FUEL PROCUREMENT PROCESSES AND COSTS OF GREENLIGHT GAS, LLC, AND WEST TEXAS GAS, INC., AND FIRST NATURAL GAS, FOR THE CALENDAR YEAR 2023

**Order Title** ORDER GRANTING MOTION FOR ORDER PRESCRIBING NOTICE

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**Case Number** PUD2024-000031      **Order Type** Motion      **RSO** OKC

**Parties** ARGENTBRIGHT, MARK (Applicant) | GREENLIGHT GAS LLC (Respondent)

**Order Title** ORDER GRANTING MOTION TO ESTABLISH PROCEDURAL SCHEDULE

**Relief In Caption** APPLICATION OF MARK ARGENTBRIGHT, DIRECTOR OF THE PUBLIC UTILITY DIVISION, OKLAHOMA CORPORATION COMMISSION, FOR A PUBLIC HEARING TO REVIEW AND MONITOR APPLICATION OF THE FUEL ADJUSTMENT CLAUSE OF GREENLIGHT GAS, LLC, AND WEST TEXAS GAS, INC., AND FIRST NATURAL GAS, FOR THE CALENDAR YEAR 2023 AND, FOR A PRUDENCE REVIEW OF THE FUEL PROCUREMENT PROCESSES AND COSTS OF GREENLIGHT GAS, LLC, AND WEST TEXAS GAS, INC., AND FIRST NATURAL GAS, FOR THE CALENDAR YEAR 2023

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**Case Number** PUD2024-000035      **Order Type** Final      **RSO** OKC

**Parties** SOUTHWESTERN BELL TELEPHONE COMPANY (Applicant) | LEVEL 3 TELECOM OF OKLAHOMA LLC (Applicant)

**Order Title** FINAL ORDER APPROVING AMENDMENT TO INTERCONNECTION AGREEMENT

**Relief In Caption** APPLICATION OF SOUTHWESTERN BELL TELEPHONE COMPANY, D/B/A AT&T OKLAHOMA SEEKING OKLAHOMA CORPORATION COMMISSION APPROVAL OF AN AMENDMENT TO THE INTERCONNECTION AGREEMENT BETWEEN AT&T OKLAHOMA AND LEVEL 3 TELECOM OF OKLAHOMA, LLC

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**Case Number** PUD2024-000036      **Order Type** Final      **RSO** OKC

**Parties** ATLAS TELEPHONE COMPANY ET AL (Applicant)

**Order Title** FINAL ORDER APPROVING TARIFF REVISIONS

**Relief In Caption** APPLICATION OF ATLAS TELEPHONE COMPANY, ET AL FOR AN ORDER OF THE COMMISSION APPROVING REVISIONS TO THE ORTC INTRASTATE ACCESS TARIFF

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**Case Number** PUD2024-000038      **Order Type** Motion      **RSO** OKC

**Parties** ARGENTBRIGHT, MARK (Applicant) | OKLAHOMA GAS AND ELECTRIC COMPANY (Respondent)

**Order Title** ORDER GRANTING MOTION FOR ORDER PRESCRIBING NOTICE

**Relief In Caption** APPLICATION OF MARK ARGENTBRIGHT, DIRECTOR OF THE PUBLIC UTILITY DIVISION, OKLAHOMA CORPORATION COMMISSION, FOR A PUBLIC HEARING TO REVIEW AND MONITOR APPLICATION OF THE FUEL ADJUSTMENT CLAUSE OF OKLAHOMA GAS AND ELECTRIC COMPANY FOR THE CALENDAR YEAR 2023, AND FOR A PRUDENCE REVIEW OF THE FUEL PROCUREMENT PROCESSES AND COSTS OF OKLAHOMA GAS AND ELECTRIC COMPANY FOR THE CALENDAR YEAR 2023

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**Case Number** PUD2024-000038      **Order Type** Motion      **RSO** OKC

**Parties** ARGENTBRIGHT, MARK (Applicant) | OKLAHOMA GAS AND ELECTRIC COMPANY (Respondent)

**Order Title** ORDER GRANTING MOTION TO ESTABLISH PROCEDURAL SCHEDULE

**Relief In Caption** APPLICATION OF MARK ARGENTBRIGHT, DIRECTOR OF THE PUBLIC UTILITY DIVISION, OKLAHOMA CORPORATION COMMISSION, FOR A PUBLIC HEARING TO REVIEW AND MONITOR APPLICATION OF THE FUEL ADJUSTMENT CLAUSE OF OKLAHOMA GAS AND ELECTRIC COMPANY FOR THE CALENDAR YEAR 2023, AND FOR A PRUDENCE REVIEW OF THE FUEL PROCUREMENT PROCESSES AND COSTS OF OKLAHOMA GAS AND ELECTRIC COMPANY FOR THE CALENDAR YEAR 2023

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**Case Number** PUD2024-000039

**Order Type** Motion

**RSO** OKC

**Parties** ARGENBRIGHT, MARK (Applicant) |  
LIBERTY-EMPIRE DISTRICT ELECTRIC  
COMPANY (Respondent)

**Order Title** ORDER GRANTING PROTECTIVE  
ORDER

**Relief In Caption** APPLICATION OF MARK ARGENBRIGHT,  
DIRECTOR OF THE PUBLIC UTILITY DIVISION, OKLAHOMA  
CORPORATION COMMISSION, FOR A PUBLIC HEARING TO  
REVIEW AND MONITOR APPLICATION OF THE FUEL  
ADJUSTMENT CLAUSE OF LIBERTY-EMPIRE DISTRICT  
ELECTRIC COMPANY, A KANSAS CORPORATION, FOR  
THE CALENDAR YEAR 2023 AND, FOR A PRUDENCE  
REVIEW OF THE FUEL PROCUREMENT PROCESSES AND  
COSTS OF LIBERTY- EMPIRE DISTRICT ELECTRIC  
COMPANY, A KANSAS CORPORATION, FOR THE  
CALENDAR YEAR 2023