

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

**May 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 May 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 1:00 p.m., May 21, 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.

**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 and recognized Justin Cullen, deputy general counsel for the Public Utility Division, to provide an update on the proposed order for PUD2023-000070. Commissioner Anthony recognized Michael Ryan, deputy general counsel for the Public Utility Division, to provide details on the proposed order for PUD2023-000071. Discussion was held. The Commissioners unanimously approved the proposed orders.

**Discussion and possible vote(s) on a proposed Final Order, and consideration of any alterations, revisions, or amendments to said order, in Case No. TD2023-000011, Application of Mark Willingham, Director of the Transportation Division, Oklahoma Corporation Commission for an Order of the Commission Modifying Commission Order No. 605104 and Authorizing a Change to Non-Consensual Tow Rates**

Commissioner Hiatt announced the agenda item and recognized Michael Copeland, deputy general counsel for the Transportation Division, to provide a procedural history on this item. Discussion was held. The Commissioners unanimously approved the proposed order.

**Discussion, possible hearing and possible vote(s) on a proposed Amended Preliminary Order, and consideration of any alterations, revisions, or amendments to said order, in Case**

**No. PUD2023-000086, Application of Public Service Company of Oklahoma, an Oklahoma Corporation, for an Adjustment in its Rates and Charges and the Electric Service Rules, Regulations and Conditions of Service for Electric Service in the State of Oklahoma and to Approve Various Cost Recovery Mechanisms** Commissioner Hiatt announced the agenda item and recognized Michael Ryan, deputy general counsel for the Public Utility Division, to provide an update on scheduling amendments contained in the proposed order. Discussion was held. Commissioner Hiatt **CALLED FOR A VOTE** on the proposed order.

<b><u>VOTE:</u></b>	Commissioner Hiatt	Aye
	Commissioner David	Aye
	Commissioner Anthony	No

The order is approved.

**Discussion, possible hearing, and possible vote(s) on (i) Summit Utilities Oklahoma, Inc.’s (SUO) Motion for Oral Argument and (ii) SUO’s exceptions to the April 17, 2024, Report and Recommendation of the Administrative Law Judge, in Case No. PUD2024-000012, 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** Commissioner Hiatt announced the agenda item and accepted appearances for the represented parties. The Commissioners unanimously agreed to grant Summit Utilities Oklahoma, Inc.’s Motion for Oral Argument. The Commission’s Public Utility Division objected to hearing oral argument on Summit’s exceptions because Summit did not announce its intent to lodge such exceptions within five days of the Administrative Law Judge’s recommendation as required by OAC 165:5-13-5(a)(1). Commissioner Hiatt recommended that the requirement be waived for good cause shown and Commissioner Anthony agreed. Oral arguments were presented and discussion was held. No votes were taken on this item. However, Commissioners Hiatt and Anthony announced they would deny the motion to dismiss. Commissioner David stated she did not support denying the motion to dismiss. Mr. Curran agreed to prepare and submit a proposed order denying the motion to dismiss.

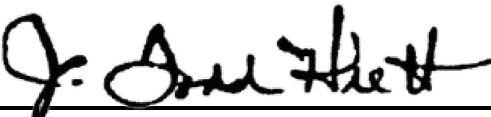
**Submitted by Corporation Commissioner Bob Anthony:**

**Consideration and discussion of the Oklahoma Corporation Commissioners’ 2024 Memorial Day message and related topics, including: review of the status and consequences of the so-called “OCC limited approval order” (No. 718758) adopted 2-0 on June 7, 2021, in Cause No. PUD 202000097, ostensibly helping Fort Sill meet Directive 2020-03 issued by the U.S. Secretary of the Army but including extra conditions and limitations. Questions include: what is the significance of an Army Directive; has Fort Sill met Army Directive 2020-03; over how many years has this military grid reliability proposal been pursued; is OCC still confused about an Army “Base” vs Fort or Post; are two of the four major Army combat branch schools located at Fort Sill in Oklahoma; to how many active conflict zones around the world beyond the Middle East and Eastern Europe are Fort Sill-based units deployed;**


**to how many “gray zone” conflict areas of the world beyond Korea and the Indo-Pacific are Fort Sill-based units deployed; do those Air Defense Artillery and Field Artillery units rely on ongoing communication with Fort Sill-based assets while deployed; has the OCC done everything possible to support Fort Sill’s mission and the lives and safety of those serving in the American military; is the outcome of Cause No. PUD 20200097 for Fort Sill among what Commissioner Anthony considers the worst OCC failures in the last 35 years; upon reconsideration, what can the OCC now do to “enable Fort Sill to strengthen its strategic energy resilience using secure on-site facilities required by Army Directives.”** Commissioner Hiett announced the agenda item and deferred to Commissioner Anthony to present this item.

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

**Adjournment** The meeting adjourned at 3:32 p.m.

  
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J. Todd Hiett, Chairman

ATTESTED this 25th day of June 2024.

  
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Garey 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. Thursday, May 23, 2024

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

The Concourse Theater is located 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	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.)
III	Discussion and possible vote(s) on a proposed Final Order, and consideration of any alterations, revisions, or amendments to said order, in Case No. TD2023-000011, <i>Application of Mark Willingham, Director of the Transportation Division, Oklahoma Corporation Commission for an Order of the Commission Modifying Commission Order No. 605104 and Authorizing a Change to Non-Consensual Tow Rates</i>
IV	Discussion, possible hearing and possible vote(s) on a proposed Amended Preliminary Order, and consideration of any alterations, revisions, or amendments to said order, in Case No. PUD2023-000086, <i>Application of Public Service Company of Oklahoma, an Oklahoma Corporation, for an Adjustment in its Rates and Charges and the Electric Service Rules, Regulations and Conditions of Service for Electric Service in the State of Oklahoma and to Approve Various Cost Recovery Mechanisms</i>

V	Discussion, possible hearing, and possible vote(s) on (i) Summit Utilities Oklahoma, Inc.'s (SUO) Motion for Oral Argument and (ii) SUO's exceptions to the April 17, 2024, Report and Recommendation of the Administrative Law Judge, in Case No. PUD2024-000012, <i>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</i>
VI	Submitted by Corporation Commissioner Bob Anthony:  Consideration and discussion of the Oklahoma Corporation Commissioners' 2024 Memorial Day message and related topics, including: review of the status and consequences of the so-called "OCC limited approval order" (No. 718758) adopted 2-0 on June 7, 2021, in Cause No. PUD 202000097, ostensibly helping Fort Sill meet Directive 2020-03 issued by the U.S. Secretary of the Army but including extra conditions and limitations. Questions include: what is the significance of an Army Directive; has Fort Sill met Army Directive 2020-03; over how many years has this military grid reliability proposal been pursued; is OCC still confused about an Army "Base" vs Fort or Post; are two of the four major Army combat branch schools located at Fort Sill in Oklahoma; to how many active conflict zones around the world beyond the Middle East and Eastern Europe are Fort Sill-based units deployed; to how many "gray zone" conflict areas of the world beyond Korea and the Indo-Pacific are Fort Sill-based units deployed; do those Air Defense Artillery and Field Artillery units rely on ongoing communication with Fort Sill-based assets while deployed; has the OCC done everything possible to support Fort Sill's mission and the lives and safety of those serving in the American military; is the outcome of Cause No. PUD 202000097 for Fort Sill among what Commissioner Anthony considers the worst OCC failures in the last 35 years; upon reconsideration, what can the OCC now do to "enable Fort Sill to strengthen its strategic energy resilience using secure on-site facilities required by Army Directives."
VII	New business A. Any matter not known about and which could not have been reasonably foreseen 24 hours before the meeting B. Possible vote(s) on matters of new business
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 1:00 p.m., Tuesday, May 21, 2024.



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<b>Case Number</b> PUD2024-000024	<b>Order Type</b> Final	<b>RSO</b> OKC
<b>Parties</b> ARGENTBRIGHT, MARK (Applicant)	OKLAHOMA GAS AND ELECTRIC COMPANY (Intervenor)	<b>Relief In Caption</b> APPLICATION OF MARK ARGENTBRIGHT, DIRECTOR OF THE PUBLIC UTILITY DIVISION, OKLAHOMA CORPORATION COMMISSION, FOR THE COMMISSION TO APPROVE COST RECOVERY FOR AN INDEPENDENT EVALUATOR EMPLOYED BY THE COMMISSION, USED TO MONITOR A REQUEST FOR PROPOSALS AND COMPETITIVE BIDDING PROCESS OF OKLAHOMA GAS AND ELECTRIC COMPANY FOR AN ALL-SOURCE RFP SEEKING A MINIMUM OF 10 MW OF NAMEPLATE CAPACITY PER BID AND A MAXIMUM OF 1,500 MW OF NAMEPLATE CAPACITY PER BID
<b>Order Title</b> FINAL ORDER		

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<b>Case Number</b> PUD2024-000025	<b>Order Type</b> Final	<b>RSO</b> OKC
<b>Parties</b> ARGENTBRIGHT, MARK (Applicant)	OKLAHOMA ATTORNEY GENERAL (Intervenor)	<b>Relief In Caption</b> APPLICATION OF MARK ARGENTBRIGHT, DIRECTOR OF THE PUBLIC UTILITY DIVISION, OKLAHOMA CORPORATION COMMISSION, FOR THE COMMISSION TO APPROVE COST RECOVERY FOR AN INDEPENDENT EVALUATOR EMPLOYED BY THE COMMISSION, USED TO MONITOR A REQUEST FOR PROPOSALS AND COMPETITIVE BIDDING PROCESS OF OKLAHOMA GAS AND ELECTRIC COMPANY SEEKING A MAXIMUM OF 600 MW FOR THE SUMMER SEASON TO MEET OKLAHOMA GAS AND ELECTRIC COMPANY'S RESOURCE ADEQUACY OBLIGATIONS BETWEEN JUNE 1, 2026, AND MAY 31, 2027
<b>Order Title</b> FINAL ORDER		

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<b>Case Number</b> PUD2024-000026	<b>Order Type</b> Final	<b>RSO</b> OKC
<b>Parties</b> ARGENTBRIGHT, MARK (Applicant)	OKLAHOMA GAS AND ELECTRIC COMPANY (Intervenor)	<b>Relief In Caption</b> APPLICATION OF MARK ARGENTBRIGHT, DIRECTOR OF THE PUBLIC UTILITY DIVISION, OKLAHOMA CORPORATION COMMISSION, FOR THE COMMISSION TO APPROVE COST RECOVERY FOR AN INDEPENDENT EVALUATOR EMPLOYED BY THE COMMISSION, USED TO MONITOR A REQUEST FOR PROPOSALS AND COMPETITIVE BIDDING PROCESS OF OKLAHOMA GAS AND ELECTRIC COMPANY SEEKING A MAXIMUM OF 1,500 MW FOR THE SUMMER SEASON TO MEET OKLAHOMA GAS AND ELECTRIC COMPANY'S RESOURCE ADEQUACY OBLIGATIONS BETWEEN JUNE 1, 2027, AND MAY 31, 2029
<b>Order Title</b> FINAL ORDER		