

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

**June 25, 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 June 25, 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 11:00 a.m., June 24, 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)** Chairman Hiatt **CALLED FOR APPROVAL** of the following minutes of prior meetings ready for consideration: May 9, 2024, at 1:30 p.m.; May 14, 2024, at 1:30 p.m.; May 23, 2024, at 1:30 p.m.; May 28, 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.

**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 potential oral or filed Motions to Intervene**
- B. Discussion, possible hearing and possible vote(s) on Public Service Company of Oklahoma (“PSO”)’s Motion to Determine Notice**
- C. Discussion, possible hearing and possible vote(s) on PSO’s Motion for Procedural Order**

- D. Consideration of and possible vote(s) on proposed or potential orders regarding IV(A)-(C), including alterations, revisions, or amendments to such orders proposed at the meeting** Commissioner Hiett announced the agenda item and took appearances from the parties. Discussion was held, including on the issue of whether the Commission had jurisdiction to hear the NOLC case, given that Commission Order No. 738226 was on appeal to the Oklahoma Supreme Court. Parties wishing to file briefs on the issue could do so by July 9, 2024. Hearings were not held on the motions.

**Case No. OSF2022-000045, Application of Brandy L. Wreath, Administrator of the OUSF, Seeking to Adjust the Connections-Based Assessment Factor for the OUSF**

- A. Discussion, possible hearing and possible vote(s) on Motion to Advance Hearing on the Merits to be Heard by the Commission En Banc Filed by Mark Argenbright, Administrator (“Administrator”) of the OUSF and Director of the Public Utility Division of the Commission**
- B. Discussion, possible hearing and possible vote(s) on Administrator’s Motion to Reopen the Record to Adjust the OUSF Assessment Factor**
- C. Discussion, possible hearing reopening the record to adjust the OUSF assessment factor, to include any potential stipulation and settlement agreement(s), and possible vote(s)**
- D. Consideration of and possible vote(s) on proposed or potential orders regarding V(A)-(C), including alterations, revisions, or amendments to such orders proposed at the meeting** Commissioner Hiett announced the agenda item and took appearances from the parties. Discussion was held. The Commissioners unanimously agreed to grant both the *Motion to Advance Hearing on the Merits to be Heard by the Commission En Banc* and the *Administrator’s Motion to Reopen the Record to Adjust the OUSF Assessment Factor*. Commissioner Hiett recognized Natasha Scott, chief legal counsel, who presented PUD’s witness, Mark Argenbright, Administrator of the Oklahoma Universal Service Fund. Mr. Argenbright gave testimony and discussion was held. At 2:33 p.m., Commissioner Hiett announced that the Commission would proceed with agenda item number VI and return to this agenda item later in this meeting, at which time a revised proposed order would be ready for Commission consideration. At 3:27 p.m., Commissioner Hiett stated that the Commission would return to this agenda item, and recognized Natasha Scott, chief legal counsel, to present a revised final order for Commission consideration. Commissioner Hiett **CALLED FOR A VOTE** on the proposed final 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>No</b>

**The order is approved.**

Commissioner Anthony directed that his signature line on the *Final Order* in this case should read “Dissenting Opinion Attached.”

**Submitted by Corporation Commissioner Bob Anthony:**

**Discussion, questions, consideration regarding, and receipt of documentation establishing, the OCC agency’s May 29, 2024 news release with accompanying PDF, including the OCC director of administration’s claim that “the delay in selling the securitization bonds, caused by these protests, cost ratepayers, conservatively, \$277,349,544 due to the 75-basis point interest rate increase by the Federal Reserve during the protests’ timeframe at the Supreme Court.”**

**Disclosure of any further statements, information or documentation provided on the subject since May 29, 2024, including in response to media or public inquiries or Open Record Act requests. Staff response to Commissioner Anthony’s four-week-old May 31, 2024 request for documentation and records specifically supporting the aggregation or calculation of amounts included in the May 29, 2024 news release, including:**

- **any basis for establishing and quantifying the so-called “delay,”**
- **the specific dates and maturities for any Federal Reserve data used,**
- **any basis for calculating the stated “increase” (including the totals before and after said “increase”) to the “bond costs for ratepayers.”** Commissioner Hiatt announced the agenda item and deferred to Commissioner Anthony to present this item. Commissioner Anthony recognized Brandy Wreath, director of administration, and Trey Davis, chief public information officer, to discuss the OCC’s May 29, 2024 news release. Discussion was held. Commissioner Hiatt recognized A. Chase Snodgrass, assistant attorney general, to provide the Oklahoma Attorney General’s position on this matter.

As noted above, at 3:27 p.m., the Commission returned to Agenda Item V for a vote on a proposed final order. Thereafter, the Commission took up Item VII noted below.

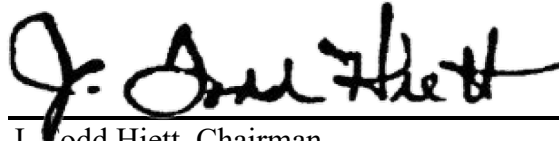
**Requested by the Director of Administration and the Public Information Officer:**

- A. **Discussion on staff processing of Open Record Act Requests (“ORRs”), including updates on pending ORRs requested from the Commission—Director of Administration Brandy Wreath and/or Public Information Officer Trey Davis**
- B. **Discussion and possible vote(s) regarding direction to Commission staff on VII(A)**

Commissioner Hiatt announced the agenda item and recognized Brandy Wreath, director of administration, to present this item. Discussion was held. No votes were taken and no directions to staff were made.


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

**Adjournment** The meeting adjourned at 4:04 p.m.



J. Todd Hiatt, Chairman

ATTESTED this 23rd day of July 2024.



Garey L. Wortham, Commission Secretary



**OKLAHOMA CORPORATION COMMISSION**  
**Amended 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, June 25, 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	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	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> A. Discussion, possible hearing and possible vote(s) on potential oral or filed Motions to Intervene B. Discussion, possible hearing and possible vote(s) on Public Service Company of Oklahoma (“PSO”)’s <i>Motion to Determine Notice</i> C. Discussion, possible hearing and possible vote(s) on PSO’s <i>Motion for Procedural Order</i> D. Consideration of and possible vote(s) on proposed or potential orders regarding IV(A)-(C), including alterations, revisions, or amendments to such orders proposed at the meeting

V	<p>Case No. OSF2022-000045, <i>Application of Brandy L. Wreath, Administrator of the OUSF, Seeking to Adjust the Connections-Based Assessment Factor for the OUSF</i></p> <p>A. Discussion, possible hearing and possible vote(s) on <i>Motion to Advance Hearing on the Merits to be Heard by the Commission En Banc Filed by Mark Argenbright, Administrator (“Administrator”) of the OUSF and Director of the Public Utility Division of the Commission</i></p> <p>B. Discussion, possible hearing and possible vote(s) on <i>Administrator’s Motion to Reopen the Record to Adjust the OUSF Assessment Factor</i></p> <p>C. Discussion, possible hearing reopening the record to adjust the OUSF assessment factor, to include any potential stipulation and settlement agreement(s), and possible vote(s)</p> <p>D. Consideration of and possible vote(s) on proposed or potential orders regarding V(A)-(C), including alterations, revisions, or amendments to such orders proposed at the meeting</p>
VI	<p>Submitted by Corporation Commissioner Bob Anthony:</p> <p>Discussion, questions, consideration regarding, and receipt of documentation establishing, the OCC agency’s May 29, 2024 news release with accompanying PDF, including the OCC director of administration’s claim that “the delay in selling the securitization bonds, caused by these protests, cost ratepayers, conservatively, \$277,349,544 due to the 75-basis point interest rate increase by the Federal Reserve during the protests’ timeframe at the Supreme Court.”</p> <p>Disclosure of any further statements, information or documentation provided on the subject since May 29, 2024, including in response to media or public inquiries or Open Record Act requests. Staff response to Commissioner Anthony’s four-week-old May 31, 2024 request for documentation and records specifically supporting the aggregation or calculation of amounts included in the May 29, 2024 news release, including:</p> <ul style="list-style-type: none"> <li>• any basis for establishing and quantifying the so-called “delay,”</li> <li>• the specific dates and maturities for any Federal Reserve data used,</li> <li>• any basis for calculating the stated “increase” (including the totals before and after said “increase”) to the “bond costs for ratepayers.”</li> </ul>
VII	<p>Requested by the Director of Administration and the Public Information Officer:</p> <p>A. Discussion on staff processing of Open Record Act Requests (“ORRs”), including updates on pending ORRs requested from the Commission—Director of Administration Brandy Wreath and/or Public Information Officer Trey Davis</p> <p>B. Discussion and possible vote(s) regarding direction to Commission staff on VII(A)</p>
VIII	<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>
IX	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 amended 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 11:00 a.m., Monday, June 24, 2024.



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

**Date:** Tuesday, June 25, 2024

**Time:** 1:30 PM

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

**Case Number** PUD2023-000087      **Order Type** Motion      **RSO** OKC

**Parties** OKLAHOMA GAS AND ELECTRIC COMPANY (Applicant)      **Relief In Caption** IN THE MATTER OF THE APPLICATION OF OKLAHOMA GAS AND ELECTRIC COMPANY FOR AN ORDER OF THE COMMISSION AUTHORIZING APPLICANT TO MODIFY ITS RATES, CHARGES, AND TARIFFS FOR RETAIL ELECTRIC SERVICE IN OKLAHOMA

**Order Title** ORDER GRANTING MOTION TO ASSOCIATE COUNSEL

**Case Number** PUD2024-000009      **Order Type** Final      **RSO** OKC

**Parties** METRO FIBERNET LLC (Applicant)      **Relief In Caption** APPLICATION OF METRO FIBERNET, LLC FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE FACILITIES BASED AND RESOLD LOCAL EXCHANGE AND INTRASTATE INTEREXCHANGE TELECOMMUNICATIONS SERVICES IN THE STATE OF OKLAHOMA

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

**Case Number** PUD2024-000016      **Order Type** Motion      **RSO** OKC

**Parties** ARKANSAS VALLEY ELECTRIC COOPERATIVE (Applicant)      **Relief In Caption** IN THE MATTER OF THE APPLICATION OF ARKANSAS VALLEY ELECTRIC COOPERATIVE CORPORATION, FOR A REVIEW AND CHANGE OR MODIFICATION IN ITS RATES, CHARGES, TARIFFS, AND TERMS AND CONDITIONS OF SERVICE

**Order Title** PRELIMINARY ORDER

**Case Number** PUD2024-000019      **Order Type** Motion      **RSO** OKC

**Parties** TRUE WIRELESS INC (Applicant)      **Relief In Caption** APPLICATION OF TRUE WIRELESS INC FOR DESIGNATION IN ADDITIONAL AREAS AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER PURSUANT TO 47 U.S.C § 214(e)

**Order Title** ORDER GRANTING PROTECTIVE ORDER

**Case Number** PUD2024-000022      **Order Type** Motion      **RSO** OKC

**Parties** SUMMIT UTILITIES OKLAHOMA INC (Applicant)      **Relief In Caption** IN THE MATTER OF THE APPLICATION OF SUMMMIT [SIC] UTILITILIES [SIC] OKLAHOMA, INC., FOR APPROVAL OF ITS PERFORMANCE-BASED RATE CHANGE PLAN CALCULATONS FOR THE TWELEVE MONTHS ENDED DECEMBER 31, 2023

**Order Title** ORDER PRESCRIBING NOTICE

**Case Number** PUD2024-000022      **Order Type** Motion      **RSO** OKC

**Parties** SUMMIT UTILITIES OKLAHOMA INC (Applicant)      **Relief In Caption** IN THE MATTER OF THE APPLICATION OF SUMMMIT [SIC] UTILITILIES [SIC] OKLAHOMA, INC., FOR APPROVAL OF ITS PERFORMANCE-BASED RATE CHANGE PLAN CALCULATONS FOR THE TWELEVE MONTHS ENDED DECEMBER 31, 2023

**Order Title** ORDER PRESCRIBING PROCEDURAL SCHEDULE



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**Case Number** PUD2024-000023      **Order Type** Motion      **RSO** OKC  
**Parties** ARKANSAS OKLAHOMA GAS CORPORATION (Applicant)      **Relief In Caption** APPLICATION OF ARKANSAS OKLAHOMA GAS CORPORATION FOR APPROVAL OF ITS PERFORMANCE BASED RATE PLAN ADJUSTMENTS FOR THE TWELVE MONTHS ENDING DECEMBER 31, 2023 AND REQUEST FOR WAIVER  
**Order Title** ORDER GRANTING MOTION FOR ORDER PRESCRIBING PROCEDURAL SCHEDULE

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**Case Number** PUD2024-000023      **Order Type** Motion      **RSO** OKC  
**Parties** ARKANSAS OKLAHOMA GAS CORPORATION (Applicant)      **Relief In Caption** APPLICATION OF ARKANSAS OKLAHOMA GAS CORPORATION FOR APPROVAL OF ITS PERFORMANCE BASED RATE PLAN ADJUSTMENTS FOR THE TWELVE MONTHS ENDING DECEMBER 31, 2023 AND REQUEST FOR WAIVER  
**Order Title** ORDER GRANTING MOTION TO ESTABLISH NOTICE REQUIREMENTS

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**Case Number** PUD2024-000027      **Order Type** Final      **RSO** OKC  
**Parties** SOUTHWESTERN BELL TELEPHONE COMPANY (Applicant) | DISH WIRELESS LLC (Applicant)      **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 DISH WIRELESS, LLC  
**Order Title** FINAL ORDER APPROVING AMENDMENT TO INTERCONNECTION AGREEMENT