

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

May 30, 2024 – 9:30 a.m.

These are the minutes for the Corporation Commission’s (“Commission”) regular meeting conducted in accordance with the Open Meeting Act on May 30, 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 12:00 p.m., May 28, 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. A copy of the notice and agenda is attached to these minutes as Appendix A.

Chairman Hiatt called the meeting to order at 9:30 a.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.

Commissioner Hiatt recognized Brandy Wreath, director of administration, who deferred to Matt Skinner, public information manager, to recognize the members of Girls State 2024 present in C50 to observe the proceedings.

Recognition of Employee Service The Commissioners gave recognition to employees for years of service in the employ of the State of Oklahoma.

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.

Discussion and possible vote(s) on the following proposed orders: (i) Order Vacating Order No. 741872 and (ii) Final Order, and consideration of any alterations, revisions, or amendments to said orders, 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. Discussion was held.

The Commissioners unanimously approved both the (i) *Order Vacating Order No. 741872* and the (ii) *Final Order*.

Possible public comment, discussion and consideration of issues presented and comments received, including The Public Utility Division’s Summary Report and Conclusion filed on May 16, 2024, and possible vote(s) regarding direction to Commission staff in Case No. GD2023-000005, In Re: Inquiry of the Oklahoma Corporation Commission to Examine Alternative Ratemaking Methodologies for and Issues of Electric Public Utilities, Including but not Limited to, Performance Based Rates, and Right of First Refusal Commissioner Hiatt announced the agenda item and recognized Mark Argenbright, director of the Public Utility Division, to offer a procedural history of this item. Discussion was held, but no action was taken on this item.

Briefing on recent Transportation Division activity for motor carrier enforcement, ports of entry, and weigh stations, including the number of vehicles processed and screened, the dollar amounts, numbers, and types of citations issued recently and comparisons to prior periods, and the base jurisdictions involved as listed by state—Deputy General Counsel Darren Ferguson or Deputy General Counsel Michael Copeland Commissioner Hiatt announced the agenda item and recognized Darren Ferguson, deputy general counsel for the Transportation Division, to provide an update on recent activity. Discussion was held.

Discussion on summary of agency financial activity, including review of the April 2024 financials and possible discussion of FY 2024 and/or FY 2025 budgets—Chief Financial Officer Holly George or Comptroller Jason Harjo Commissioner Hiatt recognized Holly George, chief financial officer, to provide a summary of April 2024 financial activity. Discussion was held.

Briefing on administrative issues, which may include human resources; budget; information technology; OCC building renovation updates; and/or legislative matters—Director of Administration Brandy Wreath Commissioner Hiatt recognized Brandy Wreath, director of administration, to provide an update on recent administrative activities. Discussion was held.

Discussion and possible vote(s) regarding direction to Commission staff on VI (A)-(C) No actions were taken and no directions were given to staff.

Submitted by Corporation Commissioner Bob Anthony:

Continuation of discussion of and questions regarding Commission (“OCC”) budget, hiring, contracting, competitive bidding, sole sourcing, procurement, purchasing, payments, and other expenditures, past, present and future, especially as may be related to issues raised in the April 23, 2024 State of Oklahoma Single Audit Report For the Fiscal Year Ended June 30, 2022 prepared by Office of the State Auditor and Inspector (“SAI”).

Discussion and possible vote(s) by Commissioners in response thereto.

During the previous discussion on May 14, 2024, the director of administration told the Commissioners:

“I think it’s important to note that the contracts I have signed to continue with these vendors were competitively bid when projects started, and every new project that has been brought to me.”

Similarly, on May 9, 2024, he said:

“But these are all vendors who were competitively bid when they started doing the work for the agency, or they were a sole source contractor. ... So those are the only kind of contracts we have.”

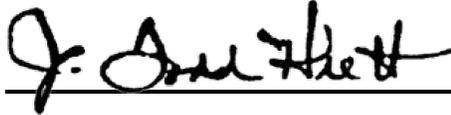
Are there other potential hiring/purchasing mechanisms besides competitively bid contracts, pilot program contracts, and sole source contracts?

On May 9, 2024, the director of administration identified the Ground Water Protection Council as a recipient of a sole source contract. Since he became OCC director of administration, has the OCC engaged any other hires or vendors or incurred any other expenditures under sole source contracts? If so, please explain in detail.

When the director of administration says a contract was “competitively bid” or a vendor was hired through a “competitive process,” specifically what does he mean by that? Are RFPs always issued? Who writes them? Who manages the RFP process? At what stages of the process are OCC personnel involved? Who at OCC is involved? At what stages of the process are OMES personnel involved? Who at OMES is involved? To whom are RFPs made available? Can anyone bid? How many qualified bids must be received for the process to be considered “competitive”? Who assesses the bids received? By what criteria are they assessed? Are bids subject to Open Records Requests? Are communications about bids subject to Open Records Requests? When might a vendor be hired through a sole source contract rather than through competitive bidding? Commissioner Hiatt announced the agenda item and deferred to Commissioner Anthony to present this item. Discussion was held. Commissioner Hiatt exited the meeting at 11:30 a.m.

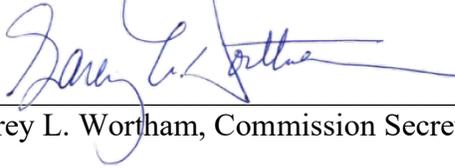
New Business There was no new business.

Adjournment The meeting adjourned at 11:37 a.m.



J. Todd Hiatt, Chairman

ATTESTED this 23rd day of July 2024.



Gary L. Wortham, Commission Secretary

