

# SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

COMMITTEE AMENDMENT

\_\_\_\_\_

(Date)

I move to amend Senate Bill No. 1103 as follows:

1. On Page 2, Line 13, by inserting before the word "Sections", the subsection "A.";
2. On Page 2, Line 14 1/2, by inserting a new Subsection B as follows:

"B. The Corporation Commission shall have the authority to promulgate any rules and regulations necessary to effectuate the provisions of this act, including penalties for non-compliance."

3. On Page 2, Line 18 1/2, by inserting a new Paragraph 1 as follows, and renumbering subsequent paragraphs:

"1. "Actual physical storage" means a storage field, liquefied natural gas storage, or other physical facility, or firm services offered by a pipeline, for the purpose of the provision and storage of natural gas and for which the stored natural gas is not subject to a prior claim by another storage customer or another class of storage service and cannot be interrupted except in a situation of force majeure;"

4. On Page 2, Line 22 1/2, by inserting a new Paragraph 3 as follows, and renumbering subsequent paragraphs:

"3. "Capacity factor" means the amount of energy that a unit produced during a certain time period divided by the amount of energy that it could have produced if it was at full load for that same period;"

5. On Page 3, Line 13, by deleting after the word "period", and before the word "by", the word "selected", and inserting the word "utilized";

6. On Page 3, Line 14 1/2, by inserting a new Paragraph 9 to read as follows, and renumbering subsequent paragraphs:

"9. "Maximum daily quantity" means the maximum amount of dekatherms of natural gas that the pipeline system delivers to the customer on any one day;"

7. On Page 3, Line 17, by inserting after the word "products", and before the semicolon ";", the words "that operates with a capacity factor of at least ten percent (10%) in a given calendar year"

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8. On Page 3, Line 17 1/2, by inserting a new Paragraph 11 as follows, and renumbering subsequent paragraphs:

“11. “Natural gas supply” means an adequate and reliable quantity of natural gas which is an amount sufficient to meet and support the required generating output for a given time period;”;

9. On Page 4, Line 19, by deleting after the word “between”, and before the word “of”, the words “December 21”, and inserting the words “November 1”;

10. On Page 4, Line 20, by deleting after the word “March”, and before the word “of”, the number “20” and inserting the number “31”;

11. On Page 5, Line 3, by inserting after the word “a”, and before the word “general”, the word “new”;

12. On Page 5, Line 9, by deleting after the word “be”, and before the word “utilized”, the words “selected by the utility and”;

13. On Page 5, Line 11 1/2, by inserting a new Paragraph 3 to read as follows:

“Prior to an electric utility filing a performance-based rate plan notice, a new general rate case application shall be filed on or after November 1, 2023.”;

14. On Page 5, Line 16, by inserting after the word “act”, and before the word “during”, the words “and the Commission’s rules”;

15. On Page 6, Line 8, by inserting after the period (.), the words “The Commission may establish minimum filing requirements for a performance-based rate plan application.”;

16. On Page 7, Line 1, by inserting after the period (.), and before the word “If”, the words “No performance-based rate adjustment shall occur unless ordered by a majority vote of the Commission.”

17. On Page 10, Line 14 1/2, by inserting a new subsection I to read as follows:

“I. The utility may withdraw its election to have its rates regulated pursuant to this act at any time. Upon withdrawal, all existing rates and charges shall continue until a final order is issued and the compliance tariffs are approved in the next general rate case application of the utility. To withdraw from an existing performance-based rate term prior to the expiration of the performance-based rate term, a utility shall be required to file:

1. A notice of withdrawal before the Commission; and
2. A general rate case application utilizing the same historical year that otherwise would have been utilized in the next scheduled performance-based rate plan application of the utility no later than six (6) months following the end of the historical year.”;

18. On Page 10, Line 18, by deleting from the beginning of the subsection, but before the comma (,), the words “In the event that an electric utility files a performance-based rate notice”, and

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inserting the words “Upon Commission approval of rates pursuant to a utility’s performance-based rate application”;

19. On Page 10, Line 21, by deleting after the word “shall”, and before the period (.), the words “continue to be effective outside the performance-based rate unless those tariffs are proposed to be eliminated at the discretion of the utility” and inserting the words “cease, except for fuel expenses subject to a separate review pursuant to Section 251 et seq. of Title 17 of the Oklahoma Statutes, and securitization provisions as authorized pursuant to Section 9070 et seq. of Title 74 of the Oklahoma Statutes. Pursuant to the general ratemaking authority of the Commission, the Commission may, in its discretion, approve the continuation of prior approved tariffs or approve new tariffs”;

20. On Page 11, Line 4, by deleting subsection C in its entirety and renumbering subsequent subsections;

21. On Page 11, Line 14, by deleting after the word “public”, and before the period (.), the words “utility rates”, and inserting the word “utilities”;

22. On Page 13, Line 6, by inserting after the word “A”, and before the word “process”, the words “low income discount for residential customers and a”;

23. On Page 13, Line 21, by inserting before the word “An” the subsection “A.”;

24. On Page 15, Line 9 1/2, by inserting a new subsection B to read as follows:

“B. The Commission may promulgate rules for the purpose of creating additional customer protections that further limit customer disconnections.”

25. On Page 16, Line 14, by deleting subsection A in its entirety and inserting a new subsection A to read as follows:

“A. An electric utility subject to retail rate regulation by the Corporation Commission that utilizes natural gas electric generation and has firm gas transportation contracts shall, by November 2024, maintain the greater of:

1. Two billion (2,000,000,000) cubic feet of natural gas supply from actual physical storage to operate its natural gas electric generation facilities; or
2. A supply of enough natural gas sufficient to operate the utility’s natural gas electric generation facilities at eighty percent (80%) of maximum daily quantity for a period of not less than fourteen (14) consecutive days during the winter months to protect customers from adverse weather events and supply chain issues. Of the above required natural gas supply, at least fifty percent (50%) shall be satisfied by actual physical storage.”;

26. On Page 17, Line 5, by deleting before the word “monetary”, the words “One-half (1/2)”, and inserting the word “The”;

27. On Page 17, Line 9, by inserting after the word “section” and before the period (.) , the words “in a manner that shall be determined by the Commission”;

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28. On Page 17, Line 11, by inserting after the word “recover”, and before the word “costs”, the words “reasonable and prudently determined”

29. On Page 17, Line 12, by inserting after the word “section”, and before the period (.), the words “subject to the general supervision and regulation by the Commission pursuant to Section 152 of Title 17 of the Oklahoma Statutes”;

30. On Page 17, Line 16, by deleting Section 12 in its entirety and inserting a new Section 12 to read as follows:

“SECTION 12. This act shall become effective November 1, 2023.”; and

31. By amending the title to conform.

Submitted by:

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Senator Treat

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