

**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA**

IN THE MATTER OF AN EMERGENCY  
RULEMAKING OF THE OKLAHOMA  
CORPORATION COMMISSION ADOPTING  
**OAC 165:14, ELECTRIC VEHICLE  
CHARGING STATIONS**

**CAUSE NO. RM 202100004**

**FILED**  
OCT 14 2021

**NOTICE OF PROPOSED EMERGENCY RULEMAKING**

COURT CLERK'S OFFICE - OKC  
CORPORATION COMMISSION  
OF OKLAHOMA

**NOTICE IS HEREBY GIVEN** that the Public Utility Division ("PUD") of the Oklahoma Corporation Commission ("Commission") recommends that the Commission adopt a new chapter to be titled "Electric Vehicle Charging Stations," on an emergency basis, following new statutory requirements in 68 O.S. §§ 6501 *et seq.* The proposed new chapter will be set forth in the Oklahoma Administrative Code ("OAC") 165:14. The proposed rules include the following:

Subchapter 1 is added to establish general provisions, including the purpose, title and authority, application of the rules, definitions, interpretation of rules, and relief from rules. It also includes a rule relating to the resale of electricity and amount charged to the consumer, and a rule that a public charging station is not a public utility.

Subchapter 3 is added to establish record keeping requirements, require contact information to be provided to the Commission, and require annual and regular reporting requirements.

Subchapter 5 is added to establish requirements for charging station equipment and testing standards, under the Commission's authority to inspect public charging stations. The Commission will also adopt the National Institute of Standards and Technology standards in Handbooks 44 and 130.

Subchapter 7 is added to establish consumer protection measures including a mediation process, allowing meter testing on the request of a consumer, and requiring charging station operators to retain records of service complaints and investigations.

Subchapter 9 is added to state that the Commission may assess fines and fees after notice and a hearing in certain situations.

**NOTICE IS FURTHER GIVEN** that the Commission has authority to initiate this emergency rulemaking pursuant to the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 *et seq.* and 68 O.S. § 6509(B)(2).

**NOTICE IS FURTHER GIVEN** that the PUD believes it is necessary to adopt these rules on an emergency basis to comply with deadlines in amendments to an agency's governing law (*see*, 75 O.S. § 253(A)(1)(b)).

**NOTICE IS FURTHER GIVEN** that the proposed emergency rules will be made available for public inspection on the Commission's website at <https://oklahoma.gov/occ/rules/proposed-emergency-rules.html>, and may be downloaded at no cost to the end user. A copy of the proposed rules may be requested by contacting Jeff W. Kline at (405) 521-2308, or [Jeff.Kline@occ.ok.gov](mailto:Jeff.Kline@occ.ok.gov).

**NOTICE IS FURTHER GIVEN** that the Rule Impact Statement required pursuant to 75 O.S. § 303(D) will be timely prepared and made available for public inspection on the Commission's website at <https://oklahoma.gov/occ/rules/proposed-emergency-rules.html>, prior to final adoption by the Commission.

**NOTICE IS FURTHER GIVEN** that the PUD will have a **technical conference on October 20, 2021 at 10:00 a.m.** in Courtroom 301, Third Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. All parties interested in the proposed emergency rules are urged and welcome to attend. One or more of the Commissioners may be present at the technical conference and may participate in the dialogue with the rulemaking participants regarding the subject of the proposed rulemaking. In an on-going effort to minimize the spread of COVID-19, the Commission continues to offer the public the option to livestream Commission meetings, or attend its meetings via teleconferencing and/or videoconferencing.

**NOTICE IS FURTHER GIVEN** that the Commission invites all interested persons to **submit comments regarding the proposed emergency rules on or before October 22, 2021.** To file the comments, please send them by email to [okcfilings@occ.ok.gov](mailto:okcfilings@occ.ok.gov), referring to Cause No. RM 202100004. Comments may be submitted by regular mail to the following address: Court Clerk, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. A file stamped copy of the comments should be sent via email to Jeff W. Kline at [Jeff.Kline@occ.ok.gov](mailto:Jeff.Kline@occ.ok.gov). Filed comments will be made available for public inspection at no cost to the end user from the Commission's imaging system at <https://imaging.occ.ok.gov/imaging/OAP.aspx>.


Pursuant to 75 O.S. §§ 303 and 504, business entities are requested, if the proposed emergency rules affect such entities, to provide to the Commission in writing, a description of the probable quantitative (costs) and qualitative impact of the proposed emergency rules, economic or otherwise, and use quantifiable data to the extent possible, taking into account both short-term and long-term consequences.

**NOTICE IS FURTHER GIVEN** that the **Commission, in a public hearing, shall consider the adoption of the proposed emergency rules at 9:30 a.m. on October 27, 2021,** in Courtroom 301, Third Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. In an on-going effort to minimize the spread of COVID-19, the Commission continues to offer the public the option to livestream Commission meetings, or attend its meetings via teleconferencing and/or videoconferencing.

**NOTICE IS FURTHER GIVEN** that further information and inquiries regarding this proposed rulemaking should be directed to Jeff W. Kline, Deputy General Counsel, by

telephone at (405) 521-2308, e-mail at Jeff.Kline@occ.ok.gov, or at Room 400, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105, or Post Office Box 52000, Oklahoma City, Oklahoma 73152-2000.

CORPORATION COMMISSION OF OKLAHOMA

  
DANA L. MURPHY, Chairman

BOB ANTHONY, Vice Chairman

  
J. TODD HIETT, Commissioner

CERTIFICATION

DONE and PERFORMED by the Commissioners participating in the issuance of this Notice of Proposed Emergency Rulemaking, as shown by their signatures above, this 14th day of October, 2021.

[Seal]



BY ORDER OF THE COMMISSION:

  
PEGGY MITCHELL, Commission Secretary