

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF BRANDY L. WREATH,)
DIRECTOR OF THE PUBLIC UTILITY DIVISION,)
OKLAHOMA CORPORATION COMMISSION, TO) CAUSE NO. PUD 202200003
PUBLICLY DISCLOSE CERTAIN DOCUMENTS AND)
INFORMATION RELATED TO THE EXTREME)
WEATHER EMERGENCY OF FEBRUARY 2021)



**AMEDNED APPLICATION TO PUBLICLY DISCLOSE
CERTAIN DOCUMENTS AND INFORMATION RELATED TO
THE EXTREME WEATHER EMERGENCY OF FEBRUARY 2021**

COMES NOW Brandy L. Wreath, Director of the Public Utility Division (“PUD”) of the Oklahoma Corporation Commission (“Commission”) by and through the undersigned counsel, for an application to publicly disclose certain documents and information related to the extreme weather emergency of February 2021. In support of this Application, Applicant alleges and states as follows:

I. PARTIES

Applicant is Brandy L. Wreath, PUD Director. Applicant is located at 2101 North Lincoln Boulevard, Suite 580, Oklahoma City, Oklahoma 73105.

Respondents (which shall collectively be referred to as “Respondents”) are the following listed companies:

1. Oklahoma Natural Gas Company, a division of ONE Gas, Inc. (“ONG”) located at 401 North Harvey Avenue, P.O. Box 410, Oklahoma City, Oklahoma 73101;
2. Oklahoma Gas and Electric Company (“OG&E”) located at 321 N. Harvey Avenue, Oklahoma City, Oklahoma 73102;
3. Public Service Company of Oklahoma (“PSO”) located at 212 E. 6th Street, Tulsa, Oklahoma 74119;

4. CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Oklahoma Gas Company (“CenterPoint”) located at 1400 Centerview Drive, Suite 100, Little Rock, Arkansas 72210;
5. Summit Utilities, Inc. (“Summit”)¹ located at 10825 E. Geddes Avenue, Ste. 410, Centennial, Colorado 80112;
6. Arkansas Oklahoma Gas Corporation (“AOG”) located at 115 North Twelfth Street, Fort Smith, Arkansas 72901;
7. Empire District Electric Company (“Liberty-Empire”) located at 602 S. Joplin Ave., Joplin, Missouri 64818;
8. Ft. Cobb Fuel Authority, LLC (“Ft. Cobb”) located at P.O. Box 183, 121 Eakly Campus Road, Eakly, Oklahoma 73033;
9. Panhandle Natural Gas, Inc. (“Panhandle”) located at HC 3 Box 113, Beaver, Oklahoma 73932; and
10. Canadian Valley Electric Cooperative, Inc. (“CVEC”) located at 11277 North Highway 99, Seminole, Oklahoma 74868.

II. ALLEGATIONS OF FACT

1. The Oklahoma Legislature established that, “The Commission shall have general supervision over all public utilities, with power to fix and establish rates and to prescribe and promulgate rules, requirements, and regulations, affecting their services, operation,

¹ Pursuant to an Asset Purchase Agreement, dated as of April 29, 2021, by and between CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Oklahoma Gas Company (“CenterPoint”) and Southern Col. Midco, LLC (“Buyer”, a Delaware limited liability company and an affiliate of Summit Utilities, Inc. (together with Buyer, “Summit), CenterPoint has agreed to sell and Summit has agreed to purchase substantially all of the assets of CenterPoint.

and the management and conduct of their business; shall inquire into the management of the business thereof, and the method in which same is conducted.” 17 O.S. § 152(A).

2. Respondents are public utilities as defined by 17 O.S. § 151, and are therefore under the Commission’s general supervision.
3. In February 2021, a historic winter storm swept into Oklahoma and surrounding states, impacting the supply, market pricing and demand for natural gas throughout Respondents’ Oklahoma service territories (“February 2021 Weather Emergency”). During this time, Oklahoma Governor J. Kevin Stitt declared a state-wide emergency (Executive Order 2021-06) due to “[e]xtreme freezing temperatures and severe winter weather including snow, freezing rain, and wind beginning February 7, 2021, and continuing.” The Governor stated that the emergency “threatens the public’s peace, health, and safety.”
4. The Commission subsequently issued two emergency orders related to the February 2021 Weather Emergency to address issues including the limited supply of natural gas, the prioritization of electric and gas service for public health, welfare, safety and security, and the need for conservation efforts.
5. During the February 2021 Weather Emergency, an extraordinary spike in demand occurred that seriously threatened Respondents’ ability to obtain the natural gas required to serve its customers.
6. As a result of this weather emergency, Respondents incurred extraordinary costs in providing critical utility services across Oklahoma.

7. Applicant's position is that each Respondent should make public the following information from and including February 7, 2021, through February 21, 2021, related to the weather emergency:

- The total amount each Respondents paid to each provider for:
 - The natural gas commodity
 - Transportation services
 - Transmission services
 - Storage related expenses
 - Purchased Power
 - Other related expenses by type and provider
- Any penalties related to each category above should be listed out separately by provider and penalty type.

If each Respondent is of the belief that there are barriers, including any legal prohibitions, that would prevent them from immediately filing the information, each Respondent should be required to provide the specific reasons.

8. Providing the above-described information in this Cause allows the general public to view summary information for this historic weather emergency on the Commission's website in one, easily-accessible repository and in a uniform format. The information being sought in this Cause is not anticipated to give an unfair competitive advantage to providers of these services as this weather emergency has been considered an anomaly and should not negatively impact any future requests for competitive bids.
9. Information should be filed in a format as ordered by the Commission in this Cause.
10. As an additional service to the general public, and to provide another option by which the public may easily view the information, the PUD with the Commission's website team can post a compilation of the filed information.

III. LEGAL AUTHORITY

The Commission has jurisdiction pursuant to Article IX, Sections 18 and 19 of the Oklahoma Constitution, and 17 O.S. §§ 151 *et seq.*

IV. RELIEF SOUGHT

WHEREFORE, Applicant respectfully requests the Commission order each Respondent to provide the information, as delineated in paragraph 7 above, designate any required format for the filing, and grant any other relief the Commission deems appropriate and just, whether specifically prayed for or not.

Respectfully submitted,

s/ Michael L. Velez
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*Attorney for Applicant Brandy L. Wreath,
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CERTIFICATE OF ELECTRONIC SERVICE

I, the undersigned, do hereby certify that on the 10th day of January 2022, a true and correct copy of the above and foregoing was sent electronically to:

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