

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

|  |   |                         |
|--|---|-------------------------|
| APPLICATION OF TIM RHODES, DIRECTOR OF | ) |                         |
| ADMINISTRATION, OKLAHOMA CORPORATION   | ) | CAUSE NO. GD 202000001  |
| COMMISSION, FOR AN ORDER OF THE        | ) |                         |
| COMMISSION AUTHORIZING ACTION IN       | ) | ORDER NO. <u>718043</u> |
| RESPONSE TO COVID-19                   | ) |                         |

**SECOND INTERIM ORDER**

The Corporation Commission (“Commission”) of the State of Oklahoma being regularly in session and the undersigned Commissioners present and participating, there comes on for consideration and action the Second Interim Order.

**I. FINDINGS OF FACT AND CONCLUSIONS OF LAW**

THE COMMISSION FINDS that it has jurisdiction over this Cause pursuant to Article IX, § 18 of the Oklahoma Constitution and OAC 165:5-1-2(c), which states the “rules of this Chapter shall not be construed as limiting the Commission’s authority to grant an exception, for good cause shown, to any rule contained herein unless otherwise precluded by law.”

THE COMMISSION FURTHER FINDS that notice of this matter was properly provided, and that upon sua sponte advancement, pursuant to OAC 165:5-13-2(b), the matter came on for consideration by the Commission on April 28, 2021.

THE COMMISSION FURTHER FINDS that on March 11, 2020, the World Health Organization initially made the assessment that COVID-19 could be characterized as a pandemic. The World Health Organization also stated, “[t]his is not just a public health crisis, it is a crisis that will touch every sector – so every sector and every individual must be involved in the fight.”

THE COMMISSION FURTHER FINDS that beginning in March 2020, Governor J. Kevin Stitt issued numerous executive orders declaring an emergency in all seventy-seven Oklahoma Counties caused by the threat of COVID-19 to the people of the State. Most recently, on April 11, 2021, Governor Stitt issued a Second Amended Executive Order 2021-07, again declaring an emergency in all seventy-seven Oklahoma Counties caused by the threat of COVID-19 to the people of the State. This Executive Order is effective for thirty days after its filing.

THE COMMISSION FURTHER FINDS that on March 17, 2020, the Commission issued Interim Order No. 710005, which has been extended numerous times. Most recently, on February 25, 2021, the Commission entered Order No. 717075, which remains in effect until April 30, 2021.

THE COMMISSION FURTHER FINDS that while the unique circumstances attending the COVID-19 pandemic are ongoing and ever-changing, the availability of safe and effective vaccines as well as the decline in number of COVID cases, has resulted in reductions of closures and mandates.

THE COMMISSION FURTHER FINDS that Order No. 710005, and the extensions thereof, provided much needed flexibility during the pandemic and was effectively utilized to allow for the continuation of processes and procedures consistent with relevant governmental COVID-19 guidance, which temporarily waived provisions of OAC 165:5 in order to facilitate social distancing and remote work, and continuity of Commission business.

THE COMMISSION FURTHER FINDS that Order No. 710005 recognized the granting of an interim order was intended to be temporary in nature.

THE COMMISSION FURTHER FINDS that to aid in continuing operations in the midst of the current state of the pandemic, an interim order is still necessary to provide flexibility in the Commission's administrative process and procedures, to continue adherence to governmental COVID-19 guidance, and to protect the health and safety of Commission employees and the public as needed.

## II. ORDER

THE COMMISSION THEREFORE ORDERS that the Director of Administration in conjunction with the Director of Judicial & Legislative Services, or their designees, are hereby granted authority to take such actions as they deem reasonable to accomplish the following:

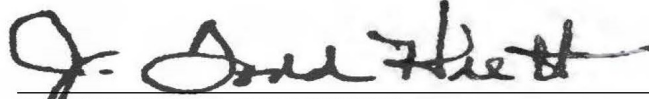
- a) Suspension of fax filing and enabling electronic filing via electronic mail;
- b) Ensure Commission staff conducts hearings and business consistent with relevant governmental COVID-19 guidelines;
- c) Promote continuity of business in light of relevant governmental COVID-19 guidelines;
- d) Provide for the use of telephonic or videoconferencing in uncontested hearings; and
- e) Modify provisions to allow for electronic signatures on pleadings, orders, and other documents addressed in the Chapter 5 rules, and waiving the affixing of the Commission Seal.

THE COMMISSION FURTHER ORDERS that this Order is subject to extension or modification as necessitated by the COVID-19 pandemic.

THIS ORDER SHALL BE EFFECTIVE immediately and shall remain in effect until June 15, 2021, unless otherwise ordered by the Commission. In the event the Commission cannot convene on June 15, 2021, this Second Interim Order shall be automatically extended for an additional 14 days or until the next regular Commission meeting.

*[Signatures follow on subsequent page 3]*

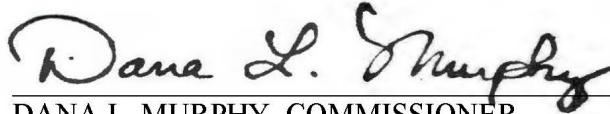
CORPORATION COMMISSION OF OKLAHOMA



J. TODD HIETT, CHAIRMAN



BOB ANTHONY, VICE CHAIRMAN



DANA L. MURPHY, COMMISSIONER

**CERTIFICATION**

DONE AND PERFORMED by the Commissioners participating in the making of this Order, as shown by their signatures above, this 28th day of April, 2021.

BY ORDER OF THE COMMISSION:





PEGGY MITCHELL, Commission Secretary