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**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>720807</u>
RESPONSE TO COVID-19	)	

**FOURTH 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 Fourth 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 September 27, 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, which was last amended on April 11, 2021 in the Second Amended Executive Order 2021-07 (“COVID-19 Executive Order”).

THE COMMISSION FURTHER FINDS that on March 17, 2020, the Commission issued Interim Order No. 710005, which was extended numerous times. Most recently, on June 15, 2021, the Commission entered its Third Interim Order No.718879, which remains in effect until October 1, 2021.

THE COMMISSION FURTHER FINDS that Order No. 710005, and the extensions thereof, and Order No. 718879 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 on May 3, 2021, Governor Stitt signed Executive Order 2021-11 withdrawing and rescinding the COVID-19 Executive Order, effective May 4, 2021.

THE COMMISSION FURTHER FINDS that on May 28, 2021, Governor Stitt issued Executive Order 2021-16, directing all state agencies to rescind any mandate for the wearing of masks in order to receive governmental services. Furthermore, Executive Order 2021-16 prohibits all state agencies from requiring a vaccination against COVID-19 as a condition of admittance to any public building.

THE COMMISSION FURTHER FINDS that while Oklahoma is no longer in a state of emergency, the unique circumstances attending the COVID-19 pandemic remain ongoing and ever-changing.

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 beyond the October 1, 2021, expiration of the Third Interim Order to provide flexibility in the Commission's administrative process and procedures and to continue to protect the health and safety of Commission employees and the public as needed.

## II. ORDER

THE COMMISSION THEREFORE ORDERS that upon the expiration of Order No. 718879, 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) Ensure that the conducting of hearings and business is consistent with relevant governmental COVID-19 guidelines and any applicable Executive Orders and
- b) Modify provisions to continue to allow for electronic signatures on pleadings, orders, and other documents addressed in the Chapter 5 rules and waive the affixing of the imprinted 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 remain in effect until December 1, 2021, unless otherwise ordered by the Commission.

CORPORATION COMMISSION OF OKLAHOMA

  
DANA L. MURPHY, CHAIRMAN

  
BOB ANTHONY, VICE CHAIRMAN

  
J. TODD HIATT, COMMISSIONER

**CERTIFICATION**

DONE AND PERFORMED by the Commissioners participating in the making of this Order, as shown by their signatures above, this 27th day of September, 2021.

BY ORDER OF THE COMMISSION:



  
PEGGY MITCHELL, Commission Secretary