

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF PUBLIC SERVICE
COMPANY OF OKLAHOMA, AN
OKLAHOMA CORPORATION, FOR AN
ADJUSTMENT IN ITS RATES AND
CHARGES AND THE ELECTRIC SERVICE
RULES, REGULATIONS, AND CONDITIONS
OF SERVICE FOR ELECTRIC SERVICE IN
THE STATE OF OKLAHOMA AND TO
APPROVE VARIOUS COST RECOVERY
MECHANISMS AND TARIFFS

CASE NO. PUD 2025-000075

STATEMENT OF POSITION – PRO SE

COMES NOW, **FULL NAME**, a PSO customer, and hereby provides a Statement of Position describing certain positions that I am taking in this proceeding. I reserve the right to address any other issues raised by other parties in this docket and to cross-examine any witnesses.

[Your statement here. Tell who you are and why you care about this case. Tell why you agree or disagree with any of the testimony, and describe what you want the Corporation Commission to do. e.g. Deny PSO’s requested rate increase. Don’t raise residential rates to subsidize large load customers like data center and smelters. Remember, the OCC does not approve the smelter; it only approves the electricity rates the smelter (and other PSO customers) will pay.]

Discounted and Subsidized Rates are Unconstitutional.

The Oklahoma Constitution (Article 9, Section 18) requires the Corporation Commission to set public utility rates for regulated companies that are “reasonable and just.” Rates for different classes of customers should be cost-of-service based and should not subsidize other rate

classes or be subsidized by other rate classes. Otherwise, they are not “reasonable and just.” As the Oklahoma Supreme Court said in *Teleco, Inc. v. Corp. Comm’n*, 1982 OK 124, ¶12:

Within the Commission’s larger responsibility to oversee and preserve the integrity of the rate structure is its charge of preventing one class of rate payers from subsidizing another by paying more than its fair share. This factor is of critical concern to the Commission when it is called upon to structure rates in a new arena - as it was the case here - without the benefit of an experience period.

The cost-of-service for a new large load customer should include not only extending service to the new load, but the cost of necessary infrastructure improvements and increases in generating and purchased power capacity necessary to meet the demands of that new load, even if the latter also somewhat benefit other customer classes.

The Filed Rate Doctrine prohibits PSO from providing service to any customer at a rate not specified in PSO’s OCC-approved tariff. There is no such thing as a “discounted rate.” The rates paid by the new Century Aluminum and Emirates Global Aluminum smelter in Inola must be publicly approved by the OCC and published in PSO’s OCC-approved tariff. Also, the Oklahoma Constitution prohibits the OCC from approving rates for PSO’s residential customers that are not “reasonable and just.” Rates that are not cost-of-service based and result in residential customers subsidizing the cost of extending service to the new load, the cost of infrastructure improvements necessary to serve the new load, or the cost of increased generating or purchased power capacity necessary to meet the demands of that new load, are unlawful and unconstitutional.

Preemptive Objections.

Lastly, I preemptively object to:

- the notice I received in this case that did not explicitly notifying me about my right to file an entry of appearance and intervene in this matter.

- any financial testimony or exhibits by non-CPA OCC or Attorney General employees – especially reports of audit, balance sheets, operating statements and financial exhibits and schedules prepared by employees not shown to be under the supervision of a CPA who also testifies to that supervision. I believe 17 O.S. § 13 prohibits admitting such testimony in OCC cases.
- any sworn testimony or ruling using the word “audit” in a financial context where the word “audit” does not comply with the definition in 59 O.S. § 15.1(A)(6). I believe such misuse of the word “audit” violates the Oklahoma Accountancy Act and likely makes the testimony false.
- any “expert” testimony that does not definitively establish the expertise of the witness with respect to the specific subject matter about which the witness is testifying. Having testified before, or having “credentials accepted” before, at the OCC does not make a witness an expert under 12 O.S. § 2702.
- the involvement of OCC Commissioner Todd Hiatt in these proceedings, owing to the obvious appearance of impropriety of him participating in OCC cases involving attorneys like Thompson and Tillotson, PLLC, alleged to be witnesses to alleged criminal conduct that Hiatt has never denied. I believe Hiatt’s invocation of the Rule of Necessity before the Oklahoma Supreme Court in CU-122513 constitutes an admission of bias, and therefore State Ethics Rule 4.7 requires Hiatt to disqualify from this case.

I announce in advance my intention to object to these circumstances at the hearing each time they arise, to require a ruling on my objection from the judicial officer, and to require that ruling state its specific legal grounds, should my objection be overruled.

Again, I reserve the right to address issues raised by other parties in this matter and to cross-examine any witnesses.

Respectfully submitted,

/s/ Name [Signature]

NAME
MAILING ADDRESS
PHONE
EMAIL
INTERVENER, PRO SE

CERTIFICATE OF SERVICE

On **DATE**, 2026, a true and correct copy of the above and foregoing Statement of Position was sent via electronic mail to the following interested parties:

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