

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF BRANDY L. WREATH,)	
ADMINISTRATOR OF THE OKLAHOMA)	CAUSE NO. OSF 201900316
UNIVERSAL SERVICE FUND, SEEKING TO)	
ESTABLISH AN ASSESSMENT FACTOR FOR)	
THE OKLAHOMA UNIVERSAL SERVICE FUND)	ORDER NO. <u>719918</u>
AND DETERMINE A NEW ASSESSMENT)	
METHODOLOGY)	

INTERIM ORDER

HEARINGS: July 2, 2020, in Courtroom B (virtual conference)
2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105
Before Dustin R. Murer, Administrative Law Judge

December 30, 2020, in Courtroom 301 in person (Commissioners) and
virtual conference (Parties)
2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105
Before the Oklahoma Corporation Commission, *En Banc*

APPEARANCES: Lauren D. Willingham, Assistant General Counsel *representing* Oklahoma
Universal Service Fund Administrator, Office of Judicial and
Legislative Services, Oklahoma Corporation Commission
J. David Jacobson, Attorney *representing* Valor Telecommunications of
Texas, LP d/b/a Windstream Communications Southwest; Windstream
Oklahoma LLC; Oklahoma Windstream LLC and Windstream NuVox
Oklahoma, Inc. and CenturyTel of Northwest Arkansas, LLC d/b/a
CenturyLink
Ron Comingdeer, Attorney *representing* Atlas Telephone Company, et al¹

¹ @Link Services, LLC, Atlas Telephone Company, Beggs Telephone Company, Bixby Telephone Company, Inc., BTC Broadband, Inc., Canadian Valley Telephone Company, Lakeland Cellular, Carnegie Telephone Company, Central Oklahoma Telephone Company, Central Cellular, LLC d/b/a COTC Connections, Cherokee Telephone Company, Chickasaw Telephone Company, Cim-Tel Cable, LLC, Craw-Kan Telephone Cooperative, Inc., Cross Cable Television, LLC, Cross Telephone Company, Cross Wireless, LLC d/b/a Sprocket Wireless, LLC d/b/a Mobilz, Cross-Valiant Cellular Partnership, Dobson Telephone Company, Hinton Telephone Company, KanOkla Telephone Association, Lavaca Telephone Company, Inc. d/b/a Pinnacle Communications, McLoud Telephone Company, Medicine Park Telephone Company, OklaTel Communications, Oklahoma Western Telephone Company d/b/a OWTC Cellular d/b/a Phoenix, Ozark Telephone Company, Panhandle Telephone Cooperative, Panhandle Telecommunications Systems, Inc., Pioneer Telephone Cooperative, Inc., Cellular Network Partnership d/b/a Pioneer/Enid Cellular, Santa Rosa Telephone Cooperative, Seneca Telephone Company, KanOkla Shidler Telephone Company, South Central Telephone Association, Southern Plains Cable, LLC, Southwest Oklahoma Telephone Company, Terral Telephone Company, Valliant Telephone Company, Wyandotte Telephone Company and Wichita Online, Inc.

William J. Bullard and Kimberly K. Argenbright, Attorneys, representing Consolidated Communications; Totah Communications, Inc.; Pine Telephone Company, Inc.; and Grand Telephone Company, Inc.
William J. Cloud, Attorney *representing* Salina-Spavinaw Telephone Company, LLC, Pottawatomie Telephone Company, LLC and Cimarron Telephone Company, LLC
Curtis M. Long and J. Dillan Curran, Attorneys *representing* Oklahoma Communications Systems, LLC
Jack G. Clark, Jr., Attorney *representing* CTIA – The Wireless Association
Marc Edwards and C. Eric Davis, Attorneys *representing* Cox Oklahoma Telecom, LLC
John W. Gray, Jr., Attorney *representing* Southwestern Bell Telephone Company, d/b/a AT&T Oklahoma
Jared B. Haines and A. Chase Snodgrass, Attorneys *representing* the Oklahoma Attorney General

BY THE COMMISSION:

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 Application of Brandy L. Wreath, Administrator of the Oklahoma Universal Service Fund (“OUSF”) and the Oklahoma Lifeline Fund (“OLF”) (or collectively referred to as the “Funds” or “OUSF Funds”) seeking to establish and determine a new assessment methodology for the OUSF and OLF.

I. PROCEDURAL HISTORY

On December 12, 2019, Brandy L. Wreath, Administrator of the OUSF and OLF filed his Application in this Cause.

On June 25, 2020, a Joint Stipulation and Settlement Agreement (“Joint Stipulation”) among the Administrator and various parties was filed in the Cause. CTIA – The Wireless Association (“CTIA”), Southwestern Bell Telephone Company, d/b/a AT&T Oklahoma (“AT&T Oklahoma”) and the Attorney General of the State of Oklahoma (“Attorney General”) were not signatory parties to the Stipulation. The Stipulation is Attachment A to the ALJ Report and incorporated herein.

On October 16, 2020, the Report and Recommendation of the Administrative Law Judge (“ALJ Report”) was filed. The procedural history through September 28, 2020, contained in Attachment B to the ALJ Report is incorporated herein by reference.

On October 30, 2020, CTIA, AT&T Oklahoma, and the Attorney General each filed Exceptions to the ALJ Report (“Exceptions”). Also on October 30, 2020, CTIA and the Attorney General filed Motions for Oral Argument regarding the filed Exceptions, along with Notices of Hearing.

On November 17, 2020, CTIA and the Attorney General filed Amended Notices of Hearing setting the Motions for Oral Argument to be heard before the Commission *En Banc* on December 15, 2020. On December 8, 2020, AT&T Oklahoma also filed a Notice of Hearing for December 15, 2020. Due to inclement weather, these motions were rescheduled to December 30, 2020.

On December 30, 2020, the Commission took up the Motions for Oral Argument which were granted, and the Commission heard oral argument on the Exceptions and took the matter under advisement.

On March 9, 2021, the Commission issued its Final Order Adopting the Joint Stipulation and Settlement Agreement, Order No. 712215, approving the implementation of a connections-based assessment methodology for the funding of the OUSF and OSF.

On March 19, 2021, AT&T Oklahoma and Cox Oklahoma Telecom, LLC filed Motions to Reconsider (“Motions”) in compliance with OAC 165:5-17-1.

On March 29, 2021, Atlas Telephone Company, et al filed its Response to the Motions. Also on March 29, 2021, Eleven Rural Local Exchange Companies filed their Joint Response to the Motions.

On March 30, 2021, after full review of the Cause and the pleadings filed herein, and based upon the record and applicable law, the Commission issued Order No. 717505, Order Vacating Order No. 717215 and Denying Related Motions.

II. SUMMARY OF EVIDENCE

The summary of evidence contained in Attachment C to the ALJ Report is incorporated herein by reference.

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Commission has jurisdiction pursuant to OKLA. CONST. art. IX, § 18, 17 O.S. §§ 139.101 *et seq.*, and 17 O.S. § 139.107(A).
2. Notice was proper and given as required by law and rules of the Commission. 17 O.S. § 139.107, OAC 165:59-3-13.
3. The Administrator’s Motion to Establish Procedural Schedule, filed on December 19, 2019, and Motion to Amend Procedural Schedule and Request for Interpretation of OAC 165:5-11-1(e)(3), filed on April 30, 2020, were withdrawn by the Administrator and are therefore moot.

Authority Under the Oklahoma Telecommunications Act of 1997

4. The Oklahoma Legislature established a universal service policy for Oklahoma, requiring funds to be made available and administered to “promote and ensure the availability of primary universal services, at rates that are reasonable and affordable and Special Universal Services, and to provide for reasonably comparable services at affordable rates in rural areas as in urban areas.” 17 O.S. § 139.106(B).

5. The Commission is required to fund the OUSF consistent with the provisions of 17 O.S. § 139.106(A).

6. The Oklahoma Telecommunications Act of 1997, as amended, establishes the OLF fund within the OUSF to “help ensure that low-income Oklahomans are provided financial assistance in maintaining basic local exchange telephone service”. 17 O.S. § 139.105(B).

7. 17 O.S. § 139.102(9)² defines Contributing Providers in part as including but not limited to providers of intrastate telecommunications, intrastate telecommunications for a fee on a non-common carrier basis, wireless telephone service, and Voice over Internet Protocol (“VOIP”).

8. The Administrator is authorized to collect the OLF and OUSF funding requirement from Contributing Providers by applying an assessment factor to the total intrastate retail Oklahoma VOIP revenues and intrastate telecommunications revenues, from both regulated and unregulated services. Alternatively, another assessment methodology may be utilized as long as it is not inconsistent with federal law. 17 O.S. § 139.107(A).

9. 47 U.S.C. § 254(f) allows states to adopt universal service programs so long as every telecommunications carrier that provides intrastate telecommunications services contributes on an equitable and nondiscriminatory basis. Further, pursuant to this section, a state may adopt regulations to provide for additional definitions and standards and advance universal service within that state only to the extent that such regulations adopt additional specific, predictable, and sufficient mechanisms to support such definitions or standards that do not rely on or burden federal universal support mechanisms.

10. The Commission, after notice and hearing, may modify the contribution methodology for the OUSF and OLF, provided the new methodology is not inconsistent with federal law. The Administrator and/or others may recommend an alternative contribution methodology to the Commission that achieves a level sufficient to generate necessary funding for administration costs and funding requests in accordance with the Oklahoma Telecommunications Act of 1997, as amended.

² The subsection number changed from 17 O.S. §139.102(8) to 139.102(9) by virtue of House Bill 2040, effective May 29, 2021.

Basis for Modifying Existing Intrastate Revenue Methodology

11. Patterns of telecommunications use have evolved in recent years, resulting in increasingly higher factor assessments under the existing methodology. Additionally, other factors have increased the financial burden on the OUSF, such as the inclusion of the Oklahoma High Cost Fund, and lower federal fund support. Thus, it is appropriate and within the Commission's jurisdiction under 17 O.S. § 139.107(A) to consider alternative funding methodologies in order to maintain sufficient and sustainable levels of funding.

12. Because of the increased reliance on marketing bundled services, the unilateral nature of allocating revenues from those bundled services among and between service types and jurisdictions, and the lack of transparency of the process, a contributor assessment based on provider revenue is no longer competitively neutral. Wreath Rebuttal Testimony, 11:17-23, 12:1-15; Meredith Responsive Testimony, 22:522-526; Hunsucker Responsive Testimony, 4:7-18, 5:15-18.

13. The Fund is experiencing a downward trend in support revenue. The Administrator testified that he has seen a twenty percent drop in total projected intrastate revenues. Wreath Direct Testimony, 9:15-16. This translates into a decrease of \$11.5 million from projected levels of OUSF contributions. *Id.*, 9:17-18. Furthermore, with additional data provided (actual revenues through December 31, 2019), there continues to be a downward trend in assessable intrastate revenues. The new projection of assessable revenues for the July 1, 2020, through June 30, 2021, time period has been further reduced to \$617,330,000, which is a reduction of 27.7% from the original projection from the previous year to receive the same amount of contributions necessary to support OUSF disbursements. *Id.*, 9:19-23. As a consequence, while assessable revenues decline, the OUSF factor must increase. Meredith Responsive Testimony, 11:273-276.

14. This significant downward trend in assessable revenue is not unique to Oklahoma and is also impacting contributions to funds supporting other states' universal service programs, as well as the Federal Universal Service Fund. States with universal service funds have also experienced a reduction in assessable revenue which has been the reason for moving their respective funds to a different assessment methodology. Wreath Direct Testimony, 10:12-16.

15. The record also reflects several reasons for the decline in intrastate revenue in Oklahoma. The broad reason for the decline is a jurisdictional allocation shift from intrastate revenue to interstate revenue for services offered by Contributing Providers.

16. Carriers that offer bundles of services, including services that are jurisdictionally interstate or otherwise not assessable, have an advantage over carriers that simply offer stand-alone telecommunications services or bundles of telecommunications services. Stand-alone service carriers do not have an option for allocation that removes revenues from being assessable for OUSF/OLF purposes. Under the current methodology, wireless providers can allocate revenues to jurisdictions or classifications that remove such revenues from being subject to assessment. Wreath Rebuttal Testimony, 9:11-15, Wreath Direct Testimony, 8:1-5, 8:7-23.

17. Testimony from several witnesses including the Administrator supports that the current methodology is not meeting the statutory requirement that the OUSF/OLF be funded in a competitively neutral manner.

Proposed Connections-Based Methodology

18. In his Application, the Administrator recommended adoption of a new contribution methodology based on the Contributing Providers' number of connections that give customers within Oklahoma access to the Public Switched Telephone Network ("PSTN"), a network which allows subscribers at different sites to communicate with each other. Wreath Direct Testimony, 11:10-17.

19. A connections-based assessment is a new methodology that can provide funding for the OLF and OUSF in a competitively neutral manner not inconsistent with federal law by all Contributing Providers. 17 O.S. § 139.107(A). Wreath Oral Testimony, Tr.SJ-68:20-25, Tr.SJ-69:1-3.

20. The recommended connections methodology differs from the current revenue methodology as it does not base the assessment on a company-by-company accounting and jurisdictional classification of revenues associated with the various services that provide the capability to place and receive calls from the PSTN. *Id.*

21. An OUSF/OLF assessment methodology based on the Contributing Providers' number of connections giving customers access to the PSTN in Oklahoma is not inconsistent with federal law. 47 U.S.C. § 254(d) and (f); 17 O.S. § 139.107.

22. The connections-based assessment methodology proposed by the Administrator and the other signatories to the Joint Stipulation is equitable, non-discriminatory, competitively neutral and not inconsistent with federal law. Wreath Oral Testimony, Tr.SJ-68:20-25, Tr.SJ-69:1-3; Wreath Rebuttal Testimony, 11:17-23, 12:1-2; Meredith Direct Testimony, 22:522-524; Hunsucker Responsive Testimony, 5:15-18; Meredith Oral Testimony, Tr.SJ-96:4-9.

23. Implementation of the connections-based assessment methodology should result in a more equitable, stable, and transparent funding of the OLF and OUSF when compared to the current revenue-based methodology. The change to the recommended methodology will also provide administrative efficiencies. Wreath Rebuttal Testimony, 9:9-23, 10:1-23, 11:17-23, 12:1-21; Wreath Oral Testimony, Tr.SJ-67:8-9; Meredith Direct Testimony, 16:392-395; Meredith Oral Testimony, Tr.SJ-81:16-20; Meredith Rebuttal Testimony, 14:301-302; Hunsucker Responsive Testimony, 5:19-22, 6:1-13.

24. The connections-based assessment methodology proposed by the Administrator is in large part consistent with the Commission's Chapter 59 rules. To the extent and where any conflict with the current rules exists, the Commission finds that to avoid unreasonable hardship or excessive expense, based on the evidence presented and pursuant to the statutory basis set out in paragraph number 5, as well as the reasons set forth in paragraph numbers 22 and 23 above, good cause has been shown for an OAC 165:59-1-6 waiver of rules inconsistent with this Order,

including OAC 165:59-3-13(b), OAC 165:59-3-13(c), 165:59-3-44(d), 165:59-3-44(e), 165:59-3-44(f), 165:59-9-23(c), 165:59-9-23(e), 165:59-9-23(f), and 165:59-9-23(g), and such rules are hereby waived.

25. Under the revenue-based methodology, Contributing Providers offering service packages that bundle assessable intrastate services with interstate and other services that are not assessable for purposes of OLF and OUSF funding have the ability to allocate the revenue reported so as to minimize the portion of the revenue on which assessments are made. Hunsucker Responsive Testimony, 4:9-18.

26. The connections-based methodology is both reasonable and unaffected by the amount of revenue the Contributing Provider allocates to the Oklahoma jurisdiction for OLF and OUSF contribution determination. Meredith Rebuttal Testimony, 14:301-309; Wreath Rebuttal Testimony, 16:14-22.

27. An assessment methodology based on the number of connections to the PSTN is also fair and equitable because it will place all Contributing Providers who utilize the network on equal footing, regardless of the technology employed to provide the service or an individual company's ability to market and price intrastate assessable services as an element of a bundled service. Wreath Rebuttal Testimony, 11:17-23, 12:1-2; Meredith Responsive Testimony, 22:522-524; Meredith Oral Testimony, Tr.SJ-96:4-9; Hunsucker Responsive Testimony, 5:15-18.

28. A connections-based assessment methodology will be more transparent for consumers and regulators. The largest wireless carriers consider the formulas used to allocate revenues among jurisdictions and to assign those costs to their customers to be business sensitive and highly confidential. Consequently, under the revenue-based methodology, in many cases the Contributing Providers have not disclosed to customers the basis by which they determined the amount of the assessment to recover from individual customers. By contrast, the monthly assessment for each connection is publicly-available information, and the number of connections upon which the assessment is initially based is publicly available through the FCC. Meredith Oral Testimony, Tr.SJ-81:16-20. Mr. Wreath stated in regard to this: "our hope here is to assist consumers with transparency, know what they're going to pay." Wreath Oral Testimony, Tr.SJ-67:8-9.

29. Each Contributing Provider has discretion to choose how and/or whether to recover from its retail customers the OUSF charges paid. Therefore, adoption of the proposed connections-based methodology will not have a material impact on the current billing processes for Contributing Providers; and because the connections-based methodology relies upon publicly-available information, compliance auditing expenses should be reduced, with no material impact on the costs for administering the OLF and OUSF. Wreath Rebuttal Testimony, 28:1-11, 29:2-7, 12-15; Meredith Oral Testimony, Tr.SJ-86:24-25, Tr.SJ-87:1-4, Tr.SJ-81:16-20; Wreath Oral Testimony, Tr.SJ-67:8-9; Meredith Rebuttal Testimony, 14:301-302.

30. The Joint Stipulation requires that the transition to the connections-based OLF and OUSF contribution methodology be effective no sooner than 90 days after the issuance of a Commission order adopting the methodology. The instant order provides for nearly the same amount of time requested by the parties while still allowing sufficient time for the Contributing Providers to make any changes to internal company processes required to determine the amount of their contribution and how the contribution will be made to the OLF and OUSF.

31. The Administrator shall work with the Contributing Providers to ensure an orderly transition to the connections-based OUSF assessment methodology—including ensuring there are no gaps in payments of the assessments and no Contributing Provider will pay more than twelve (12) monthly assessments during the calendar year 2021. The Joint Stipulation and Settlement Agreement’s provision for any transition to occur no less than 90 days from issuance of this order is modified to establish the initial transition month as November 2021. Accordingly, the number of connections at September 30, 2021, will be reported and the assessment paid on or by November 15, 2021. The revenue-based assessment payments under Interim Order No. 695781 will continue through October 31, 2021, and cease November 1, 2021.

32. The per connection assessment shall be calculated based on the number of Oklahoma connections contained in the FCC Voice Telephone Services Report, as of December 31, 2018, and the USAC LI08 Report of Lifeline Subscribers by State or Jurisdiction, January 2020-March 2020, as reflected in Attachment BLW-F1 to the Administrator’s Testimony in Support of the Joint Stipulation and Settlement Agreement filed June 25, 2020.

33. Based on the record in this Cause, OUSF contributions in the amount of \$63,824,833 were expected to be required to meet the funding needs for Funding Year 2020 (July 1, 2020-June 30, 2021). Wreath Direct Testimony, 15:1-8, Attachment 1-1; Wreath Amended Testimony, 3:18, Amended Attachment 1-1; Wreath Rebuttal Testimony, 4:8-11; Wreath Testimony in Support of Joint Stipulation, 4:2-4, Attachment BLW-F1; Wreath Oral Testimony, Tr.SJ-56 12-25, Tr.SJ-57 1-10.

34. In calculating the overall funding requirement for the OUSF, the Administrator included funding for projected Primary Universal Service filings in the just-completed funding year in order to avoid untimely changes to the factor, confusion for consumers, and additional burden on the Administrator and Contributing Providers. Wreath Oral Testimony, Tr.SJ-58:23-25, Tr.SJ-59:1-7; Wreath Direct Testimony, 15:1-8, Attachment 1-1; Wreath Amended Testimony, 3:18, Amended Attachment 1-1; Wreath Rebuttal Testimony, 4:8-11; Wreath Testimony in Support of Joint Stipulation, 4:2-4, Attachment BLW-F1; Wreath Oral Testimony Tr.SJ-56 12-25, Tr.SJ-57 1-10. Accordingly, the initial connections-based assessment shall be set at \$1.14 per connection. The contribution amount of \$1.14 per connection was calculated to meet the statutory requirements for funding the OUSF in that funding year. Wreath Testimony in Support of Joint Stipulation, 4:15-18, 12:11-20 and Attachment BLW-F1; Joint Stipulation, p. 3, No. 10.

35. With the modifications and clarifications included herein, the Joint Stipulation is reasonable and supported by the evidence and should be, and hereby is, adopted.

Continued Monitoring of the Connections-Based OUSF and OLF Methodology and Supplemental Reporting and Recommendations to Commission

36. Full, complete and continual monitoring of the connections-based OUSF and OLF funding methodology is necessary to ensure compliance with state and federal legal authority and public confidence in the administration, collection and disbursement of OUSF and OLF support now and in the future.

37. In order for the Commission to effectively oversee and monitor the connections-based OUSF and OLF funding methodology, each Contributing Provider is required, if requested by the Administrator, to provide monthly information related to the direct or indirect impact of the assessment on end users. The information should include, but is not limited to, the number of connections provided by the Contributing Provider on the last day of each reporting month based on the applicable definition of connections as utilized on the FCC Form 477, regardless of whether the Contributing Provider is required by federal law to report such connections. If and to the extent publicly available, the number of connections reported shall be a public record subject to public disclosure. All information classified as confidential will be accessible by the OUSF Administrator, the ALJ, the Commission and all other parties in accordance with OAC 165:59-3-30(f).

38. The Commission recognizes that additional information may be required to be periodically provided; that any information requested by the Administrator or the Commission may include information currently subject to confidentiality provisions of the Federal Communications Commission's regulations, the Commission's Telecommunications Rules and/or orders issued by the Commission; and that individual Contributing Providers may continue to desire confidential treatment of some or all of that information. The Commission also recognizes that transparency with regard to how the Commission performs its statutory functions is important and necessary. Accordingly, the Commission directs the Administrator to include in stakeholder discussions a review of the disclosure and confidential treatment of information provided by Contributing Providers, including consideration of a process whereby Contributing Providers may request that the Commission treat specific information as confidential for good cause shown, after notice and hearing.

39. Commission efforts to address concerns with the sustainability of the OUSF have been ongoing for years. As a part of those efforts, the need for future legislation on OUSF reform must be addressed. Therefore, the Commission requests stakeholders continue participating in discussions with the Administrator, who is hereby directed to review and develop recommendations for appropriate reforms, including proposed statutory language. At a minimum, the discussions and recommendations are to address:

- The elimination or modification of 17 O.S. §139.106(K) (sometimes referred to as the 'make-whole' provision);
- A requirement that ongoing OUSF reimbursement associated with support formerly received under the Oklahoma High Cost Fund be contingent on a full review under 17 O.S. §139.106(G); and

- A cap on the monthly per connection assessment factor.

These discussions and engagements are to begin timely and include status reports to the Commission. Accordingly:

- Within 45 days of the entry of this Interim Order, the Administrator shall initiate discussions and/or meetings with the stakeholders, with notice of such meetings to be provided via GovDelivery;
- Within 60 days of the entry of this Interim Order, the Administrator shall file in this Cause a status report of the progress of the discussions/meetings and/or any areas of focus/concern;
- Within 90 days of the entry of this Interim Order, the Administrator shall file in this Cause proposed statutory language. Stakeholders will have 15 days from the date of the Administrator's filing to file statements of position with regard to the proposed statutory language;
- Within 120 days from the entry of this Interim Order, the Administrator shall file in this Cause a recommendation as to the appropriate treatment of confidential information provided by Contributing Providers, to include any barriers to making public any information currently designated as confidential; and
- Within 180 days from the entry of this Interim Order, this Cause shall be reopened before the Commission *en banc* to receive an update from the Administrator on progress, with such update to include whether or not the connections-based assessment is being directly passed through to Contributing Providers' customers and the average amount of the pass-through per customer during the most recent reporting month, and for the Commission to provide, at its discretion, additional instruction/guidance.

IV. ORDER

THE COMMISSION THEREFORE ORDERS on an interim basis that the contribution methodology for funding the Oklahoma Universal Service Fund and Oklahoma Lifeline Fund is hereby modified to a connections-based assessment methodology consistent with the Commission's findings and conclusions and the Joint Stipulation and Settlement Agreement as modified and clarified.

The Commission shall meet on January 11, 2022 at 9:30 a.m., in Room 301, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105, for further proceedings and action as the Commission deems appropriate.

[Signatures follow on subsequent page 11]

CORPORATION COMMISSION OF OKLAHOMA


DANA L. MURPHY, CHAIRMAN

BOB ANTHONY, VICE CHAIRMAN

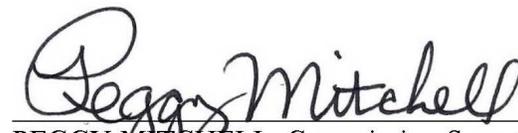

J. TODD HIATT, COMMISSIONER

CERTIFICATION

DONE AND PERFORMED by the Commissioners participating in the making of this Order, as shown by their signatures above, this 5th day of August, 2021.

BY ORDER OF THE COMMISSION:




PEGGY MITCHELL, Commission Secretary