

**BEFORE THE
ARKANSAS PUBLIC SERVICE COMMISSION**

IN THE MATTER OF THE APPLICATION OF)	
OKLAHOMA GAS AND ELECTRIC COMPANY)	
FOR A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY)	DOCKET NO. 20-037-U
AUTHORIZING THE CONSTRUCTION AND)	
OPERATION OF A RENEWABLE ENERGY)	
RESOURCE AND ASSOCIATED TARIFF)	

**APPLICATION FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
AND ASSOCIATED APPROVALS**

COMES NOW Oklahoma Gas and Electric Company (hereinafter “OG&E” or “Company”), and for its Application for a Certificate of Public Convenience and Necessity (“Application”), herein states:

1. OG&E is an investor owned corporation organized and existing under the laws of the State of Oklahoma. It is qualified to conduct business in the State of Arkansas. The Company is a public utility as defined by Ark. Code Ann. § 23-1-101, *et seq.*, and as such, is subject to the jurisdiction of the Arkansas Public Service Commission (hereinafter “Commission”). Its principal place of business is located at 321 N. Harvey Avenue, Oklahoma City, Oklahoma 73102. A copy of its Articles of Incorporation was filed with the Commission in Docket No. 15-034-U on May 8, 2015 and is incorporated herein by reference.

2. OG&E’s property consists of facilities for the generation, transmission and distribution of electric power and energy to its retail customers in its service areas in Oklahoma and Arkansas. OG&E provides electric service to approximately 863,200 total retail customers, of which 76,000 are in Arkansas.

3. OG&E is filing this Application pursuant to the provisions of Ark. Code Ann. §

23-3-201, *et seq.* and Sections 3, 4, and 6 of the Commission’s *Rules of Practice and Procedure* (“RPP”). Ark. Code Ann. § 23-3-201, *et seq.*, provides generally that without the consent and approval of the Commission, no public utility may undertake the construction or operation of new facilities for supplying a public service. By this Application, OG&E is seeking authorization and approval to construct and operate a five (5) megawatt (“MW”) renewable solar generation facility (the “Project”) in its service territory near Branch, Franklin County, Arkansas.

4. The provisions of Ark. Code Ann. § 23-18-501, *et seq.*, are not applicable to this Application because the Project facilities do not meet the size requirements necessary to be designated as a “major utility facility” under the Utility Facility Environmental and Economic Protection Act. While the Project would produce clean and renewable energy resources consistent with the provisions of Ark. Code Ann. § 23-18-701, *et seq.*, the Arkansas Clean Energy Development Act, OG&E is not seeking approval and/or cost recovery under such act.

5. As previously stated, the Company is seeking approval under the provisions of Ark. Code Ann. § 23-3-201, *et seq.*, and specifically RPP Rule 6.07. This rule addresses six requirements to be addressed in any application for a certificate of public convenience and necessity. Company witness Mr. Donald Rowlett addresses each of these six requirements in detail in his Direct Testimony.

6. In addition to approval of the proposed renewable solar energy facility by the Commission, OG&E is seeking approval of a new tariff designed to recover the revenue requirement associated with the Project. This voluntary service offering is being offered to OG&E customers who wish to subscribe to renewable solar energy produced by the proposed Project. OG&E witness Mr. William Wai will address the proposed tariffs and service offering in his Direct Testimony.

7. The proposed Project is located entirely on property owned by OG&E and no property not owned by OG&E will be traversed or crossed by the Project and no substation nor transmission is being constructed as part of the Project, therefore, no notice is required under RPP Rule 6.03.

8. OG&E respectfully requests that the Commission issue its order on this Application by the end of November 2020 in order for the Company to be eligible for higher investment tax credits and to have the opportunity to offer this tariff option to customers for the peak season of 2021.

9. Pursuant to the provisions of RPP Rule 3.04, the following individuals should be placed on the official service list as persons authorized to receive notice on behalf of the Company:

Donald R. Rowlett
Managing Director of Regulatory Affairs
Oklahoma Gas and Electric Company
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Lawrence E. Chisenhall, Jr.
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WHEREFORE, Oklahoma Gas and Electric Company respectfully requests that the Commission enter its order granting it a Certificate of Public Convenience and Necessity authorizing the construction of the renewable solar generation facility pursuant to Ark. Code Ann. § 23-3-201, *et seq.*, and Section 6 of the Commission's *Rules of Practice and Procedure*, and approve the Company's proposed tariff associated with the solar generation service offering, and for all other appropriate relief.

Respectfully submitted,

By: /s/ Lawrence E. Chisenhall, Jr.
Lawrence E. Chisenhall, Jr. (#74023)

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ATTORNEYS FOR OKLAHOMA
GAS AND ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I, Lawrence E. Chisenhall, Jr., hereby state that a copy of the foregoing instrument was served on all the parties of record via the APSC Electronic Filing System on this the 29th day of July 2020.

/s/ Lawrence E. Chisenhall, Jr.
Lawrence E. Chisenhall, Jr.