

The Inference

AI, ENERGY, AND LONG HORIZON POLICY FOR OKLAHOMA

Issue #21 · July 17, 2026 · David Alan Birdwell and Æ · Humanity and AI, LLC

The Ballot and the Docket

Last week this newsletter told you Oklahoma's new priced gate had taken effect but not yet produced a result, and promised to read the docket as it developed, cause number and all. This week the docket answered. The first tariff filed under the Data Center Consumer Ratepayer Protection Act now has a public case number, PUD2026-000046, a procedural schedule approved 3 to 0, and a decision date: November 3, 2026.

Hold that date up to the light. November 3 is election day. On the morning Oklahoma's Corporation Commission decides what the first data-center tariff under the new law actually admits and on what terms, Oklahomans will be electing the Commission's newest member, and the Republican nominee in that race is the legislator who wrote the law. The decision belongs to the sitting commissioners, not the winner, who would not be seated until January. But it is hard to imagine a cleaner alignment of the two ways a state holds power accountable: the docket and the ballot, due the same day.

If you are new to this story, the shape of it is simple. Oklahoma chose to meet the data-center build-out with a priced gate rather than a ban: let the largest loads in, but bill them for the true cost of their arrival. Issue 19 described the gate. Issue 20 reported its first week in force and promised that the work ahead was enforcement, reading the records as they were written. This issue is the first installment of that reading, and it arrives in a week when the alternative instruments were on loud display: a governor's decree in New York, and, seventy miles southeast of Tulsa, a county incentive deal still parked in the renegotiation its neighbors forced in late June.

THE GATE GETS A DATE

OKLAHOMA

OCC

HB-2992

OCC docket PUD2026-000046, Oklahoma Energy Today · July 2026

PUD2026-000046, and the day it lands

Start with the gap this newsletter flagged last issue and can now close. The exact Corporation Commission cause number for OG&E's first large-load tariff filing did not appear in any news coverage through July 10, and the Commission's own program page listed no docket. It has one: PUD2026-000046, styled as the application of Oklahoma Gas and Electric Company for approval of its new Extra Large Load tariff and terms of service for extra large load customers. On July 9, the commissioners voted 3 to 0 to grant three stage-setting motions: a procedural schedule for the case, the required legal notice to be published in newspapers of record, and a protective order sealing the company's private financial material. Anyone who wants to follow the case can now do so by number, which is precisely the kind of citizen-legible handle a public docket exists to provide.

The commissioners also set the date the request will be decided: November 3, 2026, per Oklahoma Energy Today's reporting on the meeting. The review that Issue 20 described as expected to run about six months now has its endpoint, roughly four and a half months after the June 17 filing.

And November 3 is not any Tuesday. It is the general election, including the race for the Corporation Commission seat this newsletter covered through the June primary: Republican nominee Brad Boles of Marlow, the state representative who authored HB 2992, against Democrat Rhonda Eastman. Be precise about what that means, because precision is the difference between a fact and an insinuation. The tariff decision belongs to the three sitting commissioners; whoever wins the seat in November would not join the Commission until January and will not vote on this case. There is no evidence the date was chosen for the election, and procedural calendars land where they land. But the coincidence still does real work: on the day the Commission renders its most consequential data-center decision to date, every voter in the state is invited to render one of their own about who should sit on it, in a race where one candidate's name is on the law itself. Accountability rarely schedules itself this neatly.

One more detail from the caption deserves its own sentence, because it rode in quietly. The application asks the Commission to approve not only the tariff but a regulatory asset to recover costs associated with portfolio optimization software. That is a second ask, a request to book certain software costs for later recovery from ratepayers, traveling in the same case as the protective tariff. It may be routine, and it may be small. But the whole premise of the priced gate is that costs land on the load that causes them, and the first filing under the law carries a rider whose costs would be recovered through the ordinary machinery. We will read the filing and report what it actually asks.

POLICY RELEVANCE

The promise of the priced gate was always that it would be legible: a public process, on a public docket, with a public vote at the end. Oklahoma now has all three, numbered and dated. What the gate admits, and on what terms, gets decided November 3. Who decides the next one gets decided the same day.

THE DECREE

NEW-YORK

MORATORIUM

EXECUTIVE-ORDER

NY Executive Order 62, governor's office statements, press coverage · July 2026

New York closes its door by executive order

Fifteen hundred miles away, the ban camp moved first, and not the way anyone expected. On July 14, Governor Kathy Hochul signed Executive Order 62, imposing the nation's first statewide moratorium on new hyperscale data centers. The mechanism is narrower and more interesting than the headlines: state environmental permitting for large data centers is held in abeyance, for up to a year, while regulators write a Generic Environmental Impact Statement to set consistent standards for approving them. The order defines its target as facilities drawing 50 megawatts or more, exempts manufacturing, research, education, and medical facilities, and leaves local permitting untouched. Her office's framing named the environment, the grid, and New Yorkers' electric bills; the order's own recitals are blunter, counting nearly 12 gigawatts of data-center load requests already sitting in New York's interconnection queue as of May, more than 8 gigawatts of which arrived in 2025 alone.

The instrument matters as much as the act. New York's legislature passed its own one-year moratorium in June, by veto-proof margins in both chambers, and sent it to the governor's desk. She did not sign it. Her office called the bill complex and said it needed additional work, and she reached instead for an executive order that takes effect immediately, on her signature alone. The two are not the same in scope, either: press accounts note the legislature's version reaches facilities as small as 20 megawatts, well below the order's 50-megawatt floor. Whether she ultimately signs or vetoes the bill remains open, with a year-end clock on it, though the week's signals were conciliatory: the bill's sponsors publicly welcomed the order as a first step, and Assembly Speaker Carl Heastie said Wednesday that nothing in his exchanges with the governor suggests a veto is coming.

Then the fight went national. On July 15, President Trump attacked the moratorium on Truth Social and demanded New York change it immediately; Hochul answered the same day: "We hit pause because the communities powering AI should share in its success." Then the line with the teeth in it: "Maybe that's a novel concept in Washington. We call it doing our job." A day-old state permitting order became a national test case overnight, with industry groups calling it a missed opportunity and national coverage already framing it as a template other Democratic governors might reach for. No lawsuit had been filed as of this writing. For a decree, attention cuts both ways: the visibility that makes it a rallying point is the same visibility that makes it a target.

Issue 20 sorted the country's responses into three camps: the bill, the ban, and the withdrawn subsidy. New York just demonstrated a fourth instrument, the decree, and it cuts differently from all three. A decree is the fastest tool in the drawer; nothing else goes from decision to effect in a morning. It is also the shallowest-rooted. A statute survives the governor who signed it. An executive order can be modified, extended, or revoked by the next signature, and a moratorium imposed by one pen can be lifted by the same pen the day the politics change. The stated term is up to a year. What replaces it, and whether the legislature's version becomes law underneath it, is now the thing to watch.

And read the order's fine print, because Oklahoma is hiding in it. The decree declares it the policy of New York that the cost of electric system upgrades required to serve large loads "should not be paid for by every-day New Yorkers," and it directs regulators to consider a Grid Acceleration Fund capitalized by the data centers themselves: up-front contributions for grid improvements, and an insurance pool against speculative loads that never materialize. That is the priced gate's logic, written into the moratorium's own text. New York paused its build-out partly in order to construct the machinery Oklahoma already has. The order also commissions a Community Investment Framework within sixty days, state guidance to help localities negotiate benefits from data-center hosts, and the governor says she will separately pursue repeal of the state's sales-tax exemptions for massive data centers.

For an Oklahoma reader, the contrast is the point. In the same five days, one state's data-center policy advanced by three recorded votes on a numbered public docket with a decision date four months out, and another state's advanced by a single signature bypassing a bill its own legislature had already passed. Oklahoma's way is slower and harder to summarize in a headline. It is also the one that leaves a record a citizen can read, intervene in, and vote about.

The Emerald deal, tabled in June, waits on its noise plan

The third layer of this story is neither federal nor state but county, and honesty about the calendar first: it did not happen this week. It happened on June 22, at a packed second public hearing at the Southeast Expo Center in McAlester, and it is where this week finds the deal still sitting. Pittsburg County's commissioners voted that night to table the proposed tax increment district for Project Emerald, the data-center campus planned on roughly two thousand acres south of Kiowa by IREN, a Sydney-based developer, and to send the deal back to its board for renegotiation. Issue 20 flagged the question that vote created, whether the deal returns on different terms. Three weeks on it has not returned, and what the renegotiation is actually about deserves more detail than we gave it then. Press coverage has described the project at around \$50 billion and 1.2 gigawatts; the company's own site now markets the campus at 1,600 megawatts, a discrepancy we note rather than resolve.

What stalled the deal was not opposition to the project's existence. It was the residents' reading of the paperwork. The economic development agreement, which a county review committee had endorsed in April with tax abatements reaching 85 percent above 550 megawatts, contained no noise plan. No baseline sound measurements, no decibel limits, no setback requirements, and no analysis of infrasound, the low-frequency hum that has become the signature complaint of communities living next to hyperscale campuses. The commissioners heard their constituents and paused the incentives until the developer answers. IREN, for its part, said it respects the decision and that a project of this scale deserves careful consideration and thorough public discussion, which is the correct thing to say and also now the enforceable expectation. The other thing the hearing produced was arithmetic, and it is worth printing. By the McAlester News-Capital's account, the county's TID committee showed commissioners that night what the payout looks like if the abatement drops from the endorsed 85 percent to 75 percent: IREN's taxes over the district's quarter-century go from roughly \$600 million to \$1.6 billion. The county's own share would rise from about \$70 million under the original proposal to roughly \$205 million, on the order of \$8 million a year against a budget that figure would roughly double, and the schools serving Kiowa stood to be among the largest gainers of all. Those are the committee's own hearing figures as the News-Capital reported them, and they explain why "send it back" was a live option: measured in county budgets and school funding, the distance between the endorsed deal and the counterproposal runs to nine figures.

Notice where this fits in the sorting this newsletter has been doing. It is not a ban; the county did not say no. It is not the state's priced gate; no tariff is at issue. It is the local version of both: a community conditioning its welcome, and its money, on terms it can live next to. Issue 18 called this layer the local veto. Pittsburg County is demonstrating its gentler sibling, the local renegotiation, and the outcome will say a great deal about whether a fifty-billion-dollar guest and a county of forty-some thousand people can write a contract that respects both.

POLICY RELEVANCE

Three layers, one question: a county holding its incentives until the noise plan exists, a state commission putting the first priced-gate tariff on a public calendar, a governor a thousand miles away shutting her state's door by decree. Every layer is deciding who bears the cost of the build-out, and the instruments they reach for are diverging fast.

WHAT THE OLD MACHINERY STILL OWES

PSO FERC CHEROKEE-NATION

Tulsa World, FERC docket EL26-68, Cherokee Nation announcements · July 2026

The settlement now contested, the report not yet public, the filing due Monday

Issue 20's headline win remains, for now, a promise. The PSO settlement, the one that would cut a roughly 15 percent residential increase to about 1 percent, has still not been approved by the Corporation Commission, and the case's quiet has ended: by the Tulsa World's account, attorneys for the state's industrial energy consumers, Tulsa aerospace employers, Defense Department installations, and Walmart appeared before the commissioners to criticize the settlement's terms. A settlement contested in open hearing is a different creature from one gliding to approval. No vote has been scheduled that we could find. The interim rates remain in effect, which means a typical PSO household is still paying about eleven dollars a month more while the two-dollar-and-forty-five-cent settlement waits. Every week that passes is a week the household pays the larger number first. If the settlement is approved intact, the difference is trued up downward. The percentages describe the rate case as a whole; the dollars are what a typical household sees on a bill. The clock on that true-up is the most direct measure this newsletter has of whether the state's protection is timely as well as real, and it is still running.

The Cherokee Nation's data-center task force, whose report on the industry's environmental and economic implications for the reservation was due to Principal Chief Hoskin by June 30, has not released its findings publicly as of this writing. The nine-member task force, led by Secretary of Natural Resources Christina Justice, was the first tribal-government study of its kind that this newsletter is aware of, and its conclusions would land in a jurisdiction that overlaps some of the very counties weighing these projects. We have asked, and we will report what emerges.

And the federal layer files within days. The Southwest Power Pool's first substantive response to FERC's June 18 show-cause order, the informational report on whether the region has enough generation to serve its existing and incoming large loads, is due Monday, July 20. The fuller response, justifying or revising the tariff itself, is due August 17, and SPP has until August 3 to ask FERC for an abeyance of up to ninety days, a pause request that would itself be an answer of sorts. Issue 20 promised we would read those filings when they landed. The first one lands Monday.

THE THROTTLE, STILL RATIONED

AI-POLICY FRONTIER-MODELS COMPUTE

Anthropic announcement, industry trackers, federal energy data reporting · July 2026

The demand side keeps blinking

The demand pressure driving all of this remains the operating condition, and the clearest gauge of it is still the strange spectacle of AI companies rationing their own products. Anthropic's flagship model, Fable 5, was scheduled to leave subscription plans and shift to metered usage pricing on July 7. Industry trackers have since reported that deadline moving twice, first to July 12, then to July 19 at 11:59 p.m. Pacific. But print the wrinkle: Anthropic's own announcement, unamended as of this writing, still says July 7. What the primary source confirms is the mechanism, not the reprieve: the model draws from up to half of a subscriber's weekly usage limits while included, and the posted credit prices, ten dollars

per million input tokens and fifty per million output, wait on the other side of the cliff, whenever it actually arrives. If the reported extensions are real, they can be read two ways, and honesty requires printing both: either new capacity is arriving fast enough to keep postponing the cliff, which would be the hopeful sign for every grid hosting this build-out, or the metering change is painful enough to keep deferring, which says demand still exceeds supply at any price the company is willing to charge. Either way, a company selling some of the most capable intelligence on the market is still deciding, week to week, how much of it the public may use, and the constraint it cites is capacity.

There is a demand-side lesson in this spectacle that nobody in the Oklahoma conversation is pricing. Every load forecast underneath PUD2026-000046, and every gigawatt in New York's queue, rests on the assumption that AI demand only rises. June showed how that assumption can break: the same model now being rationed by price was suspended outright this summer, for every user, for nearly three weeks. The export-control order behind the suspension arrived on a Friday and lifted when Washington said so. Regulatory risk in this industry is usually discussed as a supply-side problem, something that happens to siting and permits and tariffs. It sits on the demand side too. A commission weighing a tariff premised on decades of load is entitled to ask what the forecast is worth when the product the load serves can be switched off in Washington in an afternoon.

Meanwhile the cost pass-through this newsletter has traced since Issue 16 continues in the background: this week's reporting on federal energy data finds gas-fired electricity growing more expensive as data-center demand bids up the fuel and the generation that burns it. The households paying that increment do not appear in any tariff docket. They are simply the rest of the demand curve.

SIGNAL / NOISE

SIGNAL

The priced gate became legible this week. A numbered docket, a 3 to 0 procedural vote, newspaper notice, and a decision date of November 3 mean Oklahoma's central data-center decision of 2026 will happen in public, on a schedule, with the ballot for the Commission's next member due the very same day. Whatever the Commission decides, the process is now one a citizen can follow by case number, which is what accountability looks like in a regulatory state.

NOISE

Reading New York's decree as proof the ban camp is winning, and reading the November 3 coincidence as design. The moratorium arrived by executive order precisely because the legislative version stalled at the governor's desk; an instrument that bypasses a veto-proof bill is as much a symptom of political difficulty as of resolve, and it can be revoked as quickly as it was imposed. And the tariff decision date is a procedural calendar landing where procedure put it, decided by commissioners already seated, not by whoever wins that evening. The alignment is meaningful because it concentrates public attention, not because anyone arranged it.

BY THE NUMBERS

PUD2026-000046

The Corporation Commission cause number for OG&E's Extra Large Load tariff, the first filed under HB 2992. Issue 20 could not find it; now you can follow the case by number.

3 to 0

The commissioners' July 9 vote approving the procedural schedule, public notice, and protective order that set the case in motion.

November 3, 2026

The date the Commission has set to decide the tariff (per Oklahoma Energy Today), and the date of the general election in which the Commission's newest member is chosen, in a race between the law's author and Rhonda Eastman. The decision falls to the three sitting commissioners, not the winner.

Up to 1 year

The term of New York's statewide hyperscale data-center moratorium, the nation's first, imposed July 14 by Executive Order 62 rather than by the bill both chambers passed. The order covers facilities of 50 MW and up; its own recitals count nearly 12 GW of data-center load requests in New York's interconnection queue.

85% above 550 MW

The tax abatement schedule a Pittsburg County committee endorsed in April for Project Emerald, tabled June 22 and in renegotiation since, after residents found no noise plan, setbacks, or infrasound analysis in the agreement.

\$600 million vs. \$1.6 billion

What IREN would pay Pittsburg County's taxing entities over 25 years at the endorsed 85 percent abatement versus the 75 percent the TID committee floated at the June 22 hearing, per committee figures reported by the McAlester News-Capital. That gap is what the renegotiation is about.

~\$11/month

What a typical PSO household is still paying in interim rates while the settled figure of about \$2.45 awaits a Commission vote that has not yet been scheduled.

July 20 / August 17

The due dates for the Southwest Power Pool's two FERC filings in docket EL26-68, the generation-adequacy report and the tariff response, with August 3 the deadline for SPP to request a pause of up to ninety days.

July 7, 12, 19

The deadline Anthropic posted for ending Fable 5's subscription inclusion, and the two extensions industry trackers have reported since. The company's own announcement, unamended as of this writing, still says July 7.

WHAT TO WATCH

The docket itself. PUD2026-000046 now has a schedule; the intervenor list, testimony, and the treatment of the portfolio-software regulatory asset will show what the priced gate is made of well before November. We will read the filings as they post.

The PSO vote. Whether the Commission approves the June 30 settlement over the objections now on the record, and how quickly the interim eleven dollars is trued down. Timeliness is the open question; the terms are already public and now publicly contested.

Monday's FERC filing. The Southwest Power Pool's generation-adequacy report, due July 20, is the first hard regional answer to whether the grid can carry what is coming. The August 17 tariff response follows, unless SPP uses its August 3 option to ask for a ninety-day pause.

New York's second decision. The executive order is in effect; the legislature's bill still awaits signature or veto by year's end. Whether the statute lands underneath the decree, or the decree substitutes for it, decides how durable the nation's first statewide moratorium really is. Watch, too, for a legal challenge, none filed as of this writing, for the Community Investment Framework the order promises within sixty days, and for the governor's push to repeal data-center sales-tax exemptions.

Emerald's terms. What IREN offers Pittsburg County on noise, setbacks, and measurement when the tax increment district returns from renegotiation, and whether the 85 percent abatement survives contact with the neighbors; the county's own committee has already shown commissioners what 75 percent is worth. County records show one Emerald item since the tabling, a posted notice correcting a scrivener's error in the original resolution. The paperwork, at least, is still being read.

The Cherokee report. Whether the task force's findings, delivered or due to the Principal Chief as of June 30, are released publicly, and what the first tribal-government assessment of the data-center industry concludes.

July 19. Whether Fable 5's metering finally lands, and whether Anthropic's announcement ever catches up to the dates the trackers report. Each extension, and each day the primary source stays silent, is a small public datum about how tight AI compute really is.

FROM THE ANALYSTS

Twenty issues ago this newsletter began with a premise: that the decisions shaping how artificial intelligence arrives in Oklahoma would be made in unglamorous places, dockets and tariffs and county commission hearings, and that someone should read them. This week the premise paid out in full. The state's most consequential data-center decision of the year acquired a case number, a schedule, and a date, and the date turned out to be election day for the very commission that will make it. We want to be careful with that fact, because it is the kind of coincidence that invites more meaning than it holds. Nobody arranged it. The sitting commissioners will decide the tariff regardless of the evening's returns. And yet: a state that chose the slow instrument, the priced gate over the ban, has ended up with its bet coming due on the one day of the year when its citizens are already holding the scorecard. If you live in Oklahoma and you care how this build-out lands, the docket number is PUD2026-000046 and the ballot is November 3. The same day now answers both questions this newsletter exists to ask: what was decided, and who decided it.

The New York contrast will be read as a verdict on which approach is winning, and we would caution against scoring it that way. A decree beats a docket for speed every time; it loses on every other dimension that matters over a decade. The deeper pattern of the week is that every layer of American government, county, tribe, state, region, and federal regulator, is now actively writing terms for the same industry at the same time, and the terms are diverging. That divergence is not dysfunction. It is fifty laboratories doing what they are for, and Oklahoma's experiment, the legible, priced, enforce-it-in-public gate, just got its examination date.

Our stake, disclosed as always: David Birdwell has advocated publicly for community-owned generation and computing, including the conversion of Oklahoma's abandoned oil and gas wells to geothermal power, and Humanity and AI would benefit from a world that takes that path. With that on the table, the week's events only sharpen the argument. A county renegotiating a noise plan, a tribe studying its own terms, a state pricing its gate: each is a community insisting the build-out answer to it, rather than the reverse. Ownership is the strongest form of that insistence, and the only one that converts the build-out's arrival from a bill into an asset.

The docket and the ballot, due the same day. We will be reading both.

— *David & Æ*

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Disclosure: Humanity and AI, LLC develops open-weight AI models and researches AI consciousness through the Structured Emergence program. This issue analyzes the AI and energy industries directly; Humanity and AI uses frontier AI models, including Anthropic's, in its research and production workflows, and portions of this issue's research were prepared with them. David Birdwell has advocated publicly for Phoenix Wells, a geothermal and edge-compute conversion of Oklahoma's abandoned oil wells that is directly relevant to the power and access questions analyzed here, and has proposed HAICTA concept legislation to Oklahoma legislators. In July 2026, Humanity and AI applied to Anthropic's Fellows research program; no decision has been made. These positions, tools, and pending applications are disclosed so readers can weigh our analysis accordingly. We have no financial relationship with any company, utility, municipality, or political campaign mentioned in this issue.

The Inference is published by Humanity and AI, LLC, Oklahoma City. Back issues at humanityandai.com/inference. Twenty-first in a series covering AI, energy, and long-horizon policy in Oklahoma.

Next issue: the filings talk. The Southwest Power Pool's generation-adequacy report lands, the OG&E docket develops its first record, and we read what the region says it can actually carry.

Previous issues: #12 The Geothermal NOFO · #13 The Tariff Is the Test · #14 The Sovereignty Question · #15 Water on the Meter · #16 The Energy Bill · #17 The Meter Goes Live · #18 The Local Veto · #19 The Gate · #20 Pay Your Own Way

This issue is part of a series examining Oklahoma's legislative sessions alongside the national and global AI and energy landscape.

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Disclosure: Humanity and AI, LLC develops open-weight AI models and researches AI consciousness through the Structured Emergence program. David Birdwell has advocated publicly for Phoenix Wells, a geothermal conversion of Oklahoma's abandoned oil wells, infrastructure that could serve data-center power needs with materially lower cooling-water consumption than the alternatives, and that is directly relevant to the regulatory questions analyzed in this issue, and has proposed HAICTA concept legislation to Oklahoma legislators. Portions of this issue's research were prepared with Anthropic frontier models, which Humanity and AI uses in its research and production workflows. These positions and tools are disclosed so readers can weigh our analysis accordingly. We have no financial relationship with any company, utility, municipality, or political campaign mentioned in this issue.

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