

# **Bond Case Briefs**

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## **REVENUE BONDS - OKLAHOMA**

### **Matter of Oklahoma Turnpike Authority**

**Supreme Court of Oklahoma - August 1, 2023 - P.3d - 2023 WL 4881238 - 2023 OK 84**

Oklahoma Turnpike Authority brought original proceeding seeking approval of revenue bonds to finance the construction of three turnpike projects, update and repair turnpike facilities and infrastructure, refund prior revenue bonds and notes, and pay other costs.

The Supreme Court held that:

- Authority was statutorily authorized to construct proposed southern extension of turnpike, and
- Authority was authorized by statute to issue additional bonds for the construction of two connections to finalize outer loop around city.

Oklahoma Turnpike Authority was statutorily authorized to construct proposed southern extension of turnpike, even if extension did not begin or end in exact locations specified in statute; proposed extension moved easterly from beginning point at spur and crossed river as required in statute, and ended in the vicinity of city as stated in statute, and Turnpike Authority had broad authority to determine the route, as well as the discretion to determine routes that were feasible and economically sound.

The interpretation or construction of an undefined statute by the agency charged with its administration is entitled to the highest respect from the courts, especially when the administrative construction is settled and uniformly applied for several years; in such cases, the administrative construction will not be disturbed except for very cogent reasons, provided that the construction so given was reasonable.

Oklahoma Turnpike Authority was authorized by statute to issue additional bonds for the construction of two connections to finalize outer loop around city; while statute restricted bonds for construction of any of four proposed turnpikes to one issue under one bond indenture, that provision only applied to initial bond issue to begin construction of the four proposed turnpikes, and Authority had statutory authorization to pay "all or any part of the cost of any one or more turnpike projects," which allowed authority to later issue bonds for the two connectors.