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OTA statement on Supreme Court denying petition for rehearing

The Oklahoma Supreme Court ruled 6-3 on Monday to deny the petition for rehearing in the Oklahoma Turnpike Authority's bond validation case. This is one of the final steps in OTA being able to move forward with the issuance of \$500 million in bonds for the ACCESS Oklahoma long-range plan.

The state Supreme Court ruled in favor of OTA on Aug. 1, citing that new turnpike routes are identified in state statute and that OTA has adhered to state law in this matter. On Aug. 21 protestors filed for rehearing in that case.

As OTA expected, this is the third legal win for the agency since announcing its 15-year long-range plan in February 2022. In addition to validating the OTA's bonds, the Supreme Court cleared the OTA and its Board of any wrongdoing in an unfounded Open Meetings Act lawsuit. Furthermore, last week, plaintiffs "dismissed with prejudice" what is known as a Qui Tam lawsuit that was based on the OMA case. Clearing all remaining legal issues was one of the Council of Bond Oversight's conditions when it heard the Authority's application Sept. 11 to issue the \$500 million in bonds for the program. OTA will meet all final procedural conditions from COBO to move forward into the bond market.

Also, in the past week, three independent bond rating agencies have affirmed AA- and AA3 (Moody's AA-equivalent) bond ratings for the OTA. They noted that the agency's financial outlook remains "stable" as it prepares to enter the bond market. These are among the highest ratings available to government and, as noted by the rating agencies in their published reports, they reflect OTA's strong financial position/fiscal controls, sound management practices, high quality pavement/bridge conditions, and financial metrics along with a stable traffic profile with low toll rates for maintaining the agency's "AA-" category rating. OTA continues to meet and exceed financial expectations while maintaining a safe and effective network of toll roads that connect seamlessly with the state highway system.

The ratings are:

- Moody's Investors Service affirmed its "Aa3" rating of OTA with a stable outlook on Sept. 14;
- Fitch Ratings assigned an "AA-" rating with a stable outlook on Sept. 20; and
- S&P Global maintained OTA's "AA-" rating with a stable outlook on Sept. 21.

Entering the bond market now will allow the agency to restart engineering work, begin widening I-44/Turner Turnpike between OKC and Tulsa, and to move ahead with other projects in the ACCESS Oklahoma long-range plan such as adding interchanges along existing routes. As previously stated, no engineering design work will resume on the program until after the sale of revenue bonds, which could occur as early as late October.

Ultimately, what these stable ratings mean is that OTA will be able to bond at the lowest available interest rate, thereby keeping tolls low while delivering superior projects that will enhance the turnpike system and increase safety for the traveling public.