

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Miller offered the following:

**Amendment (with title amendment)**

remove from the bill: Everything after the enacting clause  
and insert in lieu thereof:

Section 1. Each residential electric utility customer account of an "electric utility" as defined in s. 366.02(2), Florida Statutes, receiving active, residential electric utility service on May 1, 1998, shall be provided with a \$25 credit on their electric utility service account in August of 1998. The method for the award of this credit shall be as follows:

a) Each electric utility shall file with the Florida Public Service Commission by June 1, 1998 certification of the total number of residential electric utility accounts receiving active service on May 1, 1998.

b) Upon receipt of the certification of the total number of residential electric utility accounts from the utilities, the Commission shall calculate the amount of funds necessary for each electric utility to accomplish the

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1 provision of this section by multiplying the number of  
2 residential accounts active on May 1, 1998 by \$25.  
3 c) The Commission shall produce a list of the  
4 utilities detailing the calculated amount of funds necessary  
5 to provide the \$25 credit and certify this list to the  
6 Comptroller of the State of Florida, the President of the  
7 Senate, and the Speaker of the House of Representatives by  
8 June 15, 1998. Upon any specific request of the Comptroller,  
9 the President of the Senate, or the Speaker of the House of  
10 Representatives, the Public Service Commission shall have the  
11 authority to audit the total number of residential electric  
12 utility accounts as filed pursuant to subsection (b) of this  
13 act.  
14 d) The Comptroller shall distribute funds to each  
15 individual electric utility based on the list submitted by  
16 the Commission on or before July 1, 1998. The Comptroller  
17 shall make appropriate adjustments as funds are available to  
18 ensure an equal credit to each specified electric utility  
19 customer as provided by this section.  
20 e) The Florida Public Service Commission shall direct  
21 each electric utility to provide the credit on the electric  
22 service account of the eligible residential electric service  
23 customers on August 1, 1998 as provided by this section,  
24 without exception. The Commission shall develop the  
25 appropriate language describing the credit on the bill and  
26 notifying customers of the credit application process making  
27 every effort to neutralize costs to the utilities. Credits  
28 shall be reflected on the bills rendered by the utility  
29 starting on August 1, 1998 for the applicable customer  
30 accounts as they are subsequently billed according to the  
31 utility's standard billing cycles, said credits being applied

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1 to the bills up to the total amount owed each month for  
2 electric service. When bills for electric service do not have  
3 sufficient electric service amounts owed to utilize the entire  
4 amount of the credit, the remaining credit will be carried on  
5 the account for subsequent months billing until the total  
6 credit has been utilized or until October 31, 1998. Any  
7 customer receiving service on May 1, 1998 that is no longer  
8 receiving electric service from the electric utility on August  
9 1, 1998, shall have the credit reflected on their prior  
10 account until such time as the utility determines that such  
11 customer has not requested or renewed service service from the  
12 utility between August 1, 1998 and October 31, 1998. All  
13 undistributed credits which have not been distributed for  
14 whatever reason, shall be accounted for by the utility and  
15 returned to the Comptroller of the State of Florida before  
16 December 1, 1998. All disputes related to the distribution or  
17 the amount of the credit shall be resolved by the Florida  
18 Public Service Commission.

19  
20 It is the intent of the Legislature that this one-time credit  
21 not require any increase or decrease in current utility rates  
22 as established at the effective date of this section. Prior to  
23 the application of this credit, amounts owed by each customer  
24 shall be calculated without regard to the existence of the  
25 credit. As a result, the amounts due from each customer,  
26 including but not limited to rates, state, and local taxes,  
27 franchise fees, and any other applicable charges, shall not be  
28 affected by the existence of this credit.

29 Section 2. The sum of \$184 million is appropriated  
30 from the General Revenue Fund to the Public Service Commission  
31 for fiscal year 1998-1999 for the purposes of implementing the

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1 provisions of this act. In the event these funds are  
2 insufficient to carry out the provisions of this act, the  
3 Administration Commission is authorized to transfer sufficient  
4 funds from the Working Capital Fund.

5 Section 3. This act shall take effect upon becoming  
6 law.

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9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 remove from the title of the bill: Everything before the  
12 enacting clause

13

14 and insert in lieu thereof:

15 A bill to be entitled

16 An act relating to financial matters; providing credits  
17 against electricity utility charges; establishing a procedure  
18 for determining the credits; providing an appropriation;  
19 providing an effective date.

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