

Bill No. SB 2454

Amendment No. ____

Senate

CHAMBER ACTION

House

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Senators Rossin, Silver, Campbell, Dyer, Forman, Hargrett, Holzendorf, Kurth, Meadows, Thomas and Turner moved the following substitute amendment to substitute amendment (875048):

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Each residential electric utility customer account of an "electric utility" as defined in s. 366.02(2), F.S. receiving active, residential electric utility service on May 1, 1998, shall be provided with a \$50 credit, or an amount for which funds are equally available from the General Revenue Trust Fund, 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.

Bill No. SB 2454

Amendment No. ____

1 b) Upon receipt of the certification of the total
2 number of residential electric utility accounts from the
3 utilities , the Commission shall calculate the amount of funds
4 necessary for each electric utility to accomplish the
5 provision of this section by multiplying the number of
6 residential accounts active on May 1, 1998 by \$50.

7 c) The Commission shall produce a list of the
8 utilities detailing the calculated amount of funds necessary
9 to provide the \$50 credit and certify this list to the
10 Comptroller of the State of Florida, the President of the
11 Senate, and the Speaker of the House of Representatives by
12 June 15, 1998. Upon any specific request of the Comptroller,
13 the President of the Senate, or the Speaker of the House of
14 Representatives, the Public Service Commission shall have the
15 authority to audit the total number of residential electric
16 utility accounts as filed pursuant to subsection (b) of this
17 act.

18 d) The Comptroller shall distribute funds to each
19 individual electric utility based on the list submitted by
20 the Commission on or before July 1, 1998. The Comptroller
21 shall make appropriate adjustments as funds are available to
22 ensure an equal credit to each specified electric utility
23 customer as provided by this section.

24 e) The Florida Public Service Commission shall direct
25 each electric utility to provide the credit on the electric
26 service account of the eligible residential electric service
27 customers on August 1, 1998 as provided by this section,
28 without exception. The Commission shall develop the
29 appropriate language describing the credit on the bill and
30 notifying customers of the credit application process making
31 every effort to neutralize costs to the utilities. Credits

Bill No. SB 2454

Amendment No. ____

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

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

Bill No. SB 2454

Amendment No. ____

1 affected by the existence of this credit.

2 Section 2. This act shall take effect upon becoming
3 law.

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

7 And the title is amended as follows:

8 Delete everything before the enacting clause

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10 and insert:

11 providing for a residential electric utilities
12 credit under certain conditions; providing
13 legislative intent with respect to the credit;
14 providing an effective date.

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