

hbd-05

Bill No. CS/HBs 1617 & 1487, 1st Eng.

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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Representative(s) Greenstein offered the following:

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**Amendment (with title amendment)**

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On page 167, between lines 23 and 24,

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insert:

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Section 49. (1) Section 366.15, Florida Statutes, is created to read:

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366.15 Medically essential electric public utility service.--

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(1) As used in this section, the term "medically essential" means the medical dependence on electric-powered equipment that must be operated continuously, or as circumstances require as specified by a physician, to avoid the loss of life or immediate hospitalization of the customer or another permanent resident at the service address.

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(2) Each public utility shall designate employees who are authorized to direct an ordered continuation or restoration of medically essential electric service. A public utility shall not impose upon any customer any additional deposit to continue or restore medically essential electric

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1 service.

2 (3)(a) Each public utility shall annually provide a  
3 written explanation of the certification process for medically  
4 essential electric service to each utility customer.  
5 Certification of a customer's electricity needs as medically  
6 essential requires the customer to complete forms supplied by  
7 the public utility and to submit a form completed by a  
8 physician licensed in this state pursuant to chapter 458 which  
9 states in medical and nonmedical terms why the electric  
10 service is medically essential. False certification of  
11 medically essential service by a physician is a violation of  
12 s. 458.331(1)(h).

13 (b) Medically essential service shall be recertified  
14 once every 12 months. The public utility shall send the  
15 certified customer by regular mail a package of  
16 recertification materials, including recertification forms, at  
17 least 30 days prior to the expiration of the customer's  
18 certification. The materials shall advise the certified  
19 customer that he or she must complete and submit the  
20 recertification forms within 30 days after the expiration of  
21 customer's existing certification. If the recertification  
22 forms are not received within this 30-day period, the public  
23 utility may terminate the customer's certification.

24 (4) Each public utility shall certify a customer's  
25 electric service as medically essential if the customer  
26 completes the requirements of subsection (3).

27 (5) Notwithstanding any other provision of this  
28 section, a public utility may disconnect service to a  
29 residence whenever an emergency may threaten the health or  
30 safety of a person, the surrounding area, or the public  
31 utility's distribution system. The public utility shall act

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1 promptly to restore service as soon as feasible.

2 (6) No later than 24 hours before any scheduled  
3 disconnection of service for nonpayment of bills to a customer  
4 who requires medically essential service, a public utility  
5 shall attempt to contact the customer by telephone in order to  
6 provide notice of the scheduled disconnection. If the customer  
7 does not have a telephone number listed on the account or if  
8 the public utility cannot reach the customer or other adult  
9 resident of the premises by telephone by the specified time,  
10 the public utility shall send a representative to the  
11 customer's residence to attempt to contact the customer, no  
12 later than 4 p.m. of the day before scheduled disconnection.  
13 If contact is not made, however, the public utility may leave  
14 written notification at the residence advising the customer of  
15 the scheduled disconnection. Thereafter, the public utility  
16 may disconnect service on the specified date.

17 (7) Each public utility customer who requires  
18 medically essential service is responsible for making  
19 satisfactory arrangements with the public utility to ensure  
20 payment for such service and such arrangements must be  
21 consistent with the requirements of the utility's tariff.

22 (8) Each public utility customer who requires  
23 medically essential service is solely responsible for any  
24 backup equipment or power supply and a planned course of  
25 action in the event of a power outage or interruption of  
26 service.

27 (9) Each public utility that provides electric service  
28 to any customers who require medically essential service shall  
29 call, contact, or otherwise advise such customer of scheduled  
30 service interruptions.

31 (10)(a) Each public utility shall provide information

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1 on sources of state or local agency funding which may provide  
2 financial assistance to the public utility's customers who  
3 require medically essential service and who notify the public  
4 utility of their need for financial assistance.

5 (b)1. Each public utility that operates a program to  
6 receive voluntary financial contributions from the public  
7 utility's customers to provide assistance to persons who are  
8 unable to pay for the public utility's services shall maintain  
9 a list of all agencies to which the public utility distributes  
10 such funds for such purposes and shall make the list available  
11 to any such person who requests the list.

12 2. Each public utility that operates such a program  
13 shall:

14 a. Maintain a system of accounting for the specific  
15 amounts distributed to each such agency and the public utility  
16 and such agencies shall maintain a system of accounting for  
17 the specific amounts distributed to persons under such  
18 respective programs.

19 b. Train its customer service representatives to  
20 assist any person who possesses a medically essential  
21 certification as provided in this section in identifying such  
22 agencies and programs.

23 (2) Nothing in this section shall form the basis for  
24 any cause of action against a public utility. Failure to  
25 comply with any obligation created by this section does not  
26 constitute evidence of negligence on the part of the public  
27 utility.

28 Section 50. Subsection (12) of section 403.503,  
29 Florida Statutes, is amended to read:

30 403.503 Definitions relating to Florida Electrical  
31 Power Plant Siting Act.--As used in this act:

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1           (12) "Electrical power plant" means, for the purpose  
2 of certification, any steam or solar electrical generating  
3 facility using any process or fuel, including nuclear  
4 materials, and includes associated facilities which directly  
5 support the construction and operation of the electrical power  
6 plant and those associated transmission lines which connect  
7 the electrical power plant to an existing transmission network  
8 or rights-of-way to which the applicant intends to connect,  
9 except that this term does not include any steam or solar  
10 electrical generating facility of less than 75 megawatts in  
11 capacity unless the applicant for such a facility elects to  
12 apply for certification under this act or proposes to site the  
13 facility within any area comprising at least 20 square miles  
14 with an average population density of at least 3,000 persons  
15 per square mile. An associated transmission line may include,  
16 at the applicant's option, any proposed terminal or  
17 intermediate substations or substation expansions connected to  
18 the associated transmission line.

19           Section 51. Subsection (1) of section 403.506, Florida  
20 Statutes, is amended to read:

21           403.506 Applicability and certification.--

22           (1) The provisions of this act shall apply to any  
23 electrical power plant as defined herein, except that the  
24 provisions of this act shall not apply to any electrical power  
25 plant or steam generating plant of less than 75 megawatts in  
26 capacity or to any substation to be constructed as part of an  
27 associated transmission line unless the applicant has elected  
28 to apply for certification of such plant or substation under  
29 this act or proposes to site such plant within any area  
30 comprising at least 20 square miles with an average population  
31 density of at least 3,000 persons per square mile. No

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1 construction of any new electrical power plant or expansion in  
2 steam generating capacity of any existing electrical power  
3 plant may be undertaken after October 1, 1973, without first  
4 obtaining certification in the manner as herein provided,  
5 except that this act shall not apply to any such electrical  
6 power plant which is presently operating or under construction  
7 or which has, upon the effective date of chapter 73-33, Laws  
8 of Florida, applied for a permit or certification under  
9 requirements in force prior to the effective date of such act.

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

13 And the title is amended as follows:

14 On page 12, line 3, after the semicolon

15

16 insert:

17 creating s. 366.15, F.S.; providing a  
18 definition; requiring electric public utilities  
19 to provide medically essential service under  
20 specified circumstances; providing procedures  
21 for certification of medically essential  
22 utility service; authorizing utilities to  
23 disconnect service under certain circumstances;  
24 providing for notice to customers; providing  
25 for payment for service; providing for  
26 monitoring of customers; providing  
27 responsibilities for customers; providing for  
28 the identification of sources for funding  
29 purposes; amending s. 403.503, F.S.; revising a  
30 definition; amending s. 403.506, F.S.;

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application for certain power plants;