

706-131AX-32

Bill No. CS/HB 687

Amendment No. ____ (for drafter's use only)

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

Amendment (with title amendment)

On page 1, line 20, through page 4, line 30,
remove from the bill: all of said lines,

and insert in lieu thereof:

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

366.15 Medically essential electric public utility
service.--

(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.

(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

706-131AX-32

Bill No. CS/HB 687

Amendment No. ____ (for drafter's use only)

1 deposit to continue or restore medically essential electric
2 service.

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

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

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

28 (5) Notwithstanding any other provision of this
29 section, a public utility may disconnect service to a
30 residence whenever an emergency may threaten the health or
31 safety of a person, the surrounding area, or the public

706-131AX-32

Bill No. CS/HB 687

Amendment No. ____ (for drafter's use only)

1 utility's distribution system. The public utility shall act
2 promptly to restore service as soon as feasible.

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

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

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

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

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

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

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

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

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

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

29 Section 3. Subsection (12) of section 403.503, Florida
30 Statutes, is amended to read:

31 403.503 Definitions relating to Florida Electrical

1 Power Plant Siting Act.--As used in this act:

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

20 Section 4. Subsection (1) of section 403.506, Florida
21 Statutes, is amended to read:

22 403.506 Applicability and certification.--

23 (1) The provisions of this act shall apply to any
24 electrical power plant as defined herein, except that the
25 provisions of this act shall not apply to any electrical power
26 plant or steam generating plant of less than 75 megawatts in
27 capacity or to any substation to be constructed as part of an
28 associated transmission line unless the applicant has elected
29 to apply for certification of such plant or substation under
30 this act or proposes to site such plant within any area
31 comprising at least 20 square miles with an average population

706-131AX-32

Bill No. CS/HB 687

Amendment No. ____ (for drafter's use only)

1 density of at least 3,000 persons per square mile. No
 2 construction of any new electrical power plant or expansion in
 3 steam generating capacity of any existing electrical power
 4 plant may be undertaken after October 1, 1973, without first
 5 obtaining certification in the manner as herein provided,
 6 except that this act shall not apply to any such electrical
 7 power plant which is presently operating or under construction
 8 or which has, upon the effective date of chapter 73-33, Laws
 9 of Florida, applied for a permit or certification under
 10 requirements in force prior to the effective date of such act.

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

14 And the title is amended as follows:

15 On page 1, lines 2-15,
 16 remove from the title of the bill: all of said lines,
 17
 18 and insert in lieu thereof:

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

706-131AX-32

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1 403.503, F.S.; revising a definition; amending
2 s. 403.506, F.S.; providing an additional
3 exception to application for certain power
4 plants; providing an
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