

By Senator Bennett

21-1347B-04

1 A bill to be entitled
2 An act relating to powers of the Public Service
3 Commission; amending s. 366.05, F.S.;
4 authorizing the Public Service Commission to
5 use regulatory incentives to encourage a
6 utility to obtain capacity, energy, and
7 ancillary services from an entity unaffiliated
8 with the utility under certain circumstances;
9 prohibiting a utility from using the incentives
10 to acquire capacity, energy, or ancillary
11 services from an affiliate of the utility;
12 providing an effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Subsection (12) is added to section 366.05,
17 Florida Statutes, to read:

18 366.05 Powers.--

19 (12) The commission may use regulatory incentives to
20 encourage a utility to obtain capacity, energy, and ancillary
21 services from an entity unaffiliated with the utility so long
22 as the incentives do not adversely affect the rates paid by
23 customers. However, the utility may not use the incentive to
24 acquire capacity, energy, or ancillary services from an
25 affiliate of the utility.

26 Section 2. This act shall take effect July 1, 2004.
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SENATE SUMMARY

Authorizes the Public Service Commission to use regulatory incentives to encourage a utility to obtain capacity, energy, and ancillary services from an entity unaffiliated with the utility. Prohibits a utility from using the incentive to acquire capacity, energy, or ancillary services from an affiliate of the utility.