

1 A bill to be entitled
2 An act relating to the siting of electric transmission
3 lines; amending s. 403.52, F.S.; changing the short title
4 to the "Florida Electric Transmission Line Siting Act";
5 amending s. 403.521, F.S.; revising legislative intent;
6 amending s. 403.522, F.S.; revising definitions; defining
7 the terms "licensee" and "maintenance and access roads";
8 amending s. 403.523, F.S.; revising powers and duties of
9 the Department of Environmental Protection; requiring the
10 department to collect and process fees, to prepare a
11 project analysis, to act as clerk for the siting board,
12 and to administer and manage the terms and conditions of
13 the certification order and supporting documents and
14 records; amending s. 403.524, F.S.; revising provisions
15 for applicability, certification, and exemptions under the
16 act; revising provisions for notice by an electric utility
17 of its intent to construct an exempt transmission line;
18 amending s. 403.525, F.S.; providing for powers and duties
19 of the administrative law judge designated by the Division
20 of Administrative Hearings to conduct the required
21 hearings; amending s. 403.5251, F.S.; revising application
22 procedures and schedules; providing for the formal date of
23 filing an application for certification and commencement
24 of the certification review process; requiring the
25 department to prepare a proposed schedule of dates for
26 determination of completeness and other significant dates
27 to be followed during the certification process; providing
28 for the formal date of application distribution; requiring

29 | the applicant to provide notice of filing the application;
30 | amending s. 403.5252, F.S.; revising timeframes and
31 | procedures for determination of completeness of the
32 | application; requiring the department to consult with
33 | affected agencies; revising requirements for the
34 | department to file a statement of its determination of
35 | completeness with the Division of Administrative Hearings,
36 | the applicant, and all parties within a certain time after
37 | distribution of the application; revising requirements for
38 | the applicant to file a statement with the department, the
39 | division, and all parties, if the department determines
40 | the application is not complete; providing for the
41 | statement to notify the department whether the information
42 | will be provided; revising timeframes and procedures for
43 | contests of the determination by the department; providing
44 | for parties to a hearing on the issue of completeness;
45 | amending s. 403.526, F.S.; revising criteria and
46 | procedures for preliminary statements of issues, reports,
47 | and studies; revising timeframes; requiring that the
48 | preliminary statement of issues from each affected agency
49 | be submitted to the department and the applicant; revising
50 | criteria for the Department of Community Affairs' report;
51 | requiring the Department of Transportation, the Public
52 | Service Commission, and any other affected agency to
53 | prepare a project report; revising required content of the
54 | report; providing for notice of any nonprocedural
55 | requirements not listed in the application; providing for
56 | failure to provide such notification; providing for a

57 | recommendation for approval or denial of the application;
58 | providing that receipt of an affirmative determination of
59 | need is a condition precedent to further processing of the
60 | application; requiring that the department prepare a
61 | project analysis to be filed with the administrative law
62 | judge and served on all parties within a certain time;
63 | amending s. 403.527, F.S.; revising procedures and
64 | timeframes for the certification hearing conducted by the
65 | administrative law judge; revising provisions for notices
66 | and publication of notices, public hearings held by local
67 | governments, testimony at the public-hearing portion of
68 | the certification hearing, the order of presentations at
69 | the hearing, and consideration of certain communications
70 | by the administrative law judge; requiring the applicant
71 | to pay certain expenses and costs; requiring the
72 | administrative law judge to issue a recommended order
73 | disposing of the application; requiring that certain
74 | notices be made in accordance with specified requirements
75 | and within a certain time; requiring the Department of
76 | Transportation to be a party to the proceedings; providing
77 | for the administrative law judge to cancel the
78 | certification hearing and relinquish jurisdiction to the
79 | Department of Environmental Protection upon request by the
80 | applicant or the department; requiring the department and
81 | the applicant to publish notice of such cancellation;
82 | providing for parties to submit proposed recommended
83 | orders to the department when the certification hearing
84 | has been canceled; providing that the department prepare a

85 recommended order for final action by the siting board
86 when the hearing has been canceled; amending s. 403.5271,
87 F.S.; revising procedures and timeframes for consideration
88 of proposed alternate corridors; revising notice
89 requirements; providing for notice of the filing of the
90 alternate corridor and revised time schedules; providing
91 for notice to agencies newly affected by the proposed
92 alternate corridor; requiring the person proposing the
93 alternate corridor to provide all data to the agencies
94 within a certain time; providing for a determination by
95 the department that the data is not complete; providing
96 for withdrawal of the proposed alternate corridor upon
97 such determination; requiring that agencies file reports
98 with the applicant and the department which address the
99 proposed alternate corridor; requiring that the department
100 file with the administrative law judge, the applicant, and
101 all parties a project analysis of the proposed alternate
102 corridor; providing that the party proposing an alternate
103 corridor has the burden of proof concerning the
104 certifiability of the alternate corridor; amending s.
105 403.5272, F.S.; revising procedures for informational
106 public meetings; providing for informational public
107 meetings held by regional planning councils; revising
108 timeframes; amending s. 403.5275, F.S.; revising
109 provisions for amendment to the application prior to
110 certification; amending s. 403.528, F.S.; providing that a
111 comprehensive application encompassing more than one
112 proposed transmission line may be good cause for altering

113 established time limits; amending s. 403.529, F.S.;

114 revising provisions for final disposition of the

115 application by the siting board; providing for the

116 administrative law judge's or department's recommended

117 order; amending s. 403.531, F.S.; revising provisions for

118 conditions of certification; amending s. 403.5312, F.S.;

119 requiring the applicant to file notice of a certified

120 corridor route with the department; amending s. 403.5315,

121 F.S.; revising the circumstances under which a

122 certification may be modified after the certification has

123 been issued; providing for procedures if objections are

124 raised to the proposed modification; creating s. 403.5317,

125 F.S.; providing procedures for changes proposed by the

126 licensee after certification; requiring the department to

127 determine within a certain time if the proposed change

128 requires modification of the conditions of certification;

129 requiring notice to the licensee, all agencies, and all

130 parties of changes that are approved as not requiring

131 modification of the conditions of certification; creating

132 s. 403.5363, F.S.; requiring publication of certain

133 notices by the applicant, the proponent of an alternate

134 corridor, and the department; requiring the department to

135 adopt rules specifying the content of such notices;

136 amending s. 403.5365, F.S.; revising application fees and

137 the distribution of fees collected; revising procedures

138 for reimbursement of local governments and regional

139 planning organizations; amending s. 403.537, F.S.;

140 revising the schedule for notice of a public hearing by

141 the Public Service Commission in order to determine the
 142 need for a transmission line; providing that the
 143 commission is the sole forum in which to determine the
 144 need for a transmission line; amending ss. 373.441,
 145 403.061, 403.0876, and 403.809, F.S.; conforming
 146 terminology to changes made by the act; repealing ss.
 147 403.5253 and 403.5369, F.S., relating to determination of
 148 sufficiency of application or amendment to the application
 149 and the application of the act to applications filed
 150 before a certain date; providing an effective date.

151

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

153

154 Section 1. Section 403.52, Florida Statutes, is amended to
 155 read:

156 403.52 Short title.--Sections 403.52-403.5365 may be cited
 157 as the "Florida Electric Transmission Line Siting Act."

158 Section 2. Section 403.521, Florida Statutes, is amended
 159 to read:

160 403.521 Legislative intent.--The legislative intent of
 161 this act is to establish a centralized and coordinated licensing
 162 ~~permitting~~ process for the location of electric transmission
 163 line corridors and the construction, operation, and maintenance
 164 of electric transmission lines, which are critical
 165 infrastructure facilities. This necessarily involves several
 166 broad interests of the public addressed through the subject
 167 matter jurisdiction of several agencies. The Legislature
 168 recognizes that electric transmission lines will have an effect

169 upon the reliability of the electric power system, the
 170 environment, land use, and the welfare of the population.
 171 Recognizing the need to ensure electric power system reliability
 172 and integrity, and in order to meet electric ~~electrical~~ energy
 173 needs in an orderly and timely fashion, the centralized and
 174 coordinated licensing ~~permitting~~ process established by this act
 175 is intended to further the legislative goal of ensuring through
 176 available and reasonable methods that the location of
 177 transmission line corridors and the construction, operation, and
 178 maintenance of electric transmission lines produce minimal
 179 adverse effects on the environment and public health, safety,
 180 and welfare ~~while not unduly conflicting with the goals~~
 181 ~~established by the applicable local comprehensive plan.~~ It is
 182 the intent of this act to fully balance the need for
 183 transmission lines with the broad interests of the public in
 184 order to effect a reasonable balance between the need for the
 185 facility as a means of providing reliable, economical, and
 186 efficient electric ~~abundant low cost electrical~~ energy and the
 187 impact on the public and the environment resulting from the
 188 location of the transmission line corridor and the construction,
 189 operation, and maintenance of the transmission lines. The
 190 Legislature intends that the provisions of chapter 120 apply to
 191 this act and to proceedings under ~~pursuant to~~ it except as
 192 otherwise expressly exempted by other provisions of this act.

193 Section 3. Section 403.522, Florida Statutes, is amended
 194 to read:

195 403.522 Definitions relating to the Florida Electric
 196 Transmission Line Siting Act.--As used in this act:

197 (1) "Act" means the Florida Electric Transmission Line
 198 Siting Act.

199 (2) "Agency," as the context requires, means an official,
 200 officer, commission, authority, council, committee, department,
 201 division, bureau, board, section, or other unit or entity of
 202 government, including a county, municipality, or other regional
 203 or local governmental entity.

204 (3) "Amendment" means a material change in information
 205 provided by the applicant to the application for certification
 206 made after the initial application filing.

207 (4) "Applicant" means any electric utility that ~~which~~
 208 applies for certification under ~~pursuant to the provisions of~~
 209 this act.

210 (5) "Application" means the documents required by the
 211 department to be filed to initiate and support a certification
 212 review and evaluation, including the initial document filing,
 213 amendments, and responses to requests from the department for
 214 additional data and information ~~proceeding~~. An electric utility
 215 may file a comprehensive application encompassing all or a part
 216 of one or more proposed transmission lines.

217 (6) "Board" means the Governor and Cabinet sitting as the
 218 siting board.

219 (7) "Certification" means the approval by the board of the
 220 license for a corridor proper for certification pursuant to
 221 subsection (10) and the construction, operation, and maintenance
 222 of transmission lines within the ~~such~~ corridor with the ~~such~~
 223 changes or conditions as the siting board deems appropriate.

224 Certification shall be evidenced by a written order of the
 225 board.

226 (8) "Commission" means the Florida Public Service
 227 Commission.

228 (9) "Completeness" means that the application has
 229 addressed all applicable sections of the prescribed application
 230 format ~~and, but does not mean~~ that those sections are sufficient
 231 in comprehensiveness of data or in quality of information
 232 provided to allow the department to determine whether the
 233 application provides the reviewing agencies adequate information
 234 to prepare the reports required by s. 403.526.

235 (10) "Corridor" means the proposed area within which a
 236 transmission line right-of-way, including maintenance and access
 237 roads, is to be located. The width of the corridor proposed for
 238 certification by an applicant or other party, at the option of
 239 the applicant, may be the width of the transmission line right-
 240 of-way, or a wider boundary, not to exceed a width of 1 mile.
 241 The area within the corridor in which a right-of-way may be
 242 located may be further restricted by a condition of
 243 certification. After all property interests required for the
 244 transmission line right-of-way and maintenance and access roads
 245 have been acquired by the applicant, the boundaries of the area
 246 certified shall narrow to only that land within the boundaries
 247 of the transmission line right-of-way. The corridors proper for
 248 certification shall be those addressed in the application, in
 249 amendments to the application filed under ~~pursuant to~~ s.
 250 403.5275, and in notices of acceptance of proposed alternate
 251 corridors filed by an applicant and the department pursuant to

252 s. 403.5271 for which the required ~~sufficient~~ information for
 253 the preparation of agency supplemental reports was filed.

254 (11) "Department" means the Department of Environmental
 255 Protection.

256 (12) "Electric utility" means cities and towns, counties,
 257 public utility districts, regulated electric companies, electric
 258 cooperatives, regional transmission organizations, operators of
 259 independent transmission systems, or other transmission
 260 organizations approved by the Federal Energy Regulatory
 261 Commission or the commission for the operation of transmission
 262 facilities, and joint operating agencies, or combinations
 263 thereof, engaged in, or authorized to engage in, the business of
 264 generating, transmitting, or distributing electric energy.

265 (13) "License" means a franchise, permit, certification,
 266 registration, charter, comprehensive plan amendment, development
 267 order, or permit as defined in chapters 163 and 380, or similar
 268 form of authorization required by law, but it does not include a
 269 license required primarily for revenue purposes when issuance of
 270 the license is merely a ministerial act.

271 (14) "Licensee" means an applicant that has obtained a
 272 certification order for the subject project.

273 ~~(15)~~ (14) "Local government" means a municipality or county
 274 in the jurisdiction of which the project is proposed to be
 275 located.

276 (16) "Maintenance and access roads" mean roads constructed
 277 within the transmission line right-of-way. Nothing in this act
 278 prohibits an applicant from constructing a road to support

279 construction, operation, or maintenance of the transmission line
 280 that lies outside the transmission line right-of-way.

281 (17)~~(15)~~ "Modification" means any change in the
 282 certification order after issuance, including a change in the
 283 conditions of certification.

284 (18)~~(16)~~ "Nonprocedural requirements of agencies" means
 285 any agency's regulatory requirements established by statute,
 286 rule, ordinance, or comprehensive plan, excluding any provisions
 287 prescribing forms, fees, procedures, or time limits for the
 288 review or processing of information submitted to demonstrate
 289 compliance with such regulatory requirements.

290 (19)~~(17)~~ "Person" means an individual, partnership, joint
 291 venture, private or public corporation, association, firm,
 292 public service company, political subdivision, municipal
 293 corporation, government agency, public utility district, or any
 294 other entity, public or private, however organized.

295 (20)~~(18)~~ "Preliminary statement of issues" means a listing
 296 and explanation of those issues within the agency's jurisdiction
 297 which are of major concern to the agency in relation to the
 298 proposed electric ~~electrical~~ transmission line corridor.

299 (21)~~(19)~~ "Regional planning council" means a regional
 300 planning council as defined in s. 186.503(4) in the jurisdiction
 301 of which the project is proposed to be located.

302 ~~(20) "Sufficiency" means that the application is not only~~
 303 ~~complete but that all sections are adequate in the~~
 304 ~~comprehensiveness of data and in the quality of information~~
 305 ~~provided to allow the department to determine whether the~~

306 ~~application provides the reviewing agencies adequate information~~
 307 ~~to prepare the reports authorized by s. 403.526.~~

308 (22) ~~(21)~~ "Transmission line" or "electric transmission
 309 line" means structures, maintenance and access roads, and all
 310 other facilities that need to be constructed, operated, or
 311 maintained for the purpose of conveying electric power ~~any~~
 312 ~~electrical transmission line~~ extending from, but not including,
 313 an existing or proposed substation or power plant to, but not
 314 including, an existing or proposed transmission network or
 315 rights-of-way or substation to which the applicant intends to
 316 connect which defines the end of the proposed project and which
 317 is designed to operate at 230 kilovolts or more. ~~The starting~~
 318 ~~point and ending point of a transmission line must be~~
 319 ~~specifically defined by the applicant and must be verified by~~
 320 ~~the commission in its determination of need. A transmission line~~
 321 ~~includes structures and maintenance and access roads that need~~
 322 ~~to be constructed for the project to become operational. The~~
 323 transmission line may include, at the applicant's option, any
 324 proposed terminal or intermediate substations or substation
 325 expansions necessary to serve the transmission line.

326 (23) ~~(22)~~ "Transmission line right-of-way" means land
 327 necessary for the construction, operation, and maintenance of a
 328 transmission line. The typical width of the right-of-way shall
 329 be identified in the application. The right-of-way shall be
 330 located within the certified corridor and shall be identified by
 331 the applicant ~~subsequent to certification~~ in documents filed
 332 with the department before ~~prior to~~ construction.

333 ~~(24)~~~~(23)~~ "Water management district" means a water
 334 management district created pursuant to chapter 373 in the
 335 jurisdiction of which the project is proposed to be located.

336 Section 4. Section 403.523, Florida Statutes, is amended
 337 to read:

338 403.523 Department of Environmental Protection; powers and
 339 duties.--The department has ~~shall have~~ the following powers and
 340 duties:

341 (1) To adopt procedural rules pursuant to ss. 120.536(1)
 342 and 120.54 to administer ~~implement the provisions of~~ this act
 343 and to adopt or amend rules to implement the provisions of
 344 subsection (10).

345 (2) To prescribe the form and content of the public
 346 notices and the form, content, and necessary supporting
 347 documentation, and any required studies, for certification
 348 applications. All ~~such~~ data and studies shall be related to the
 349 jurisdiction of the agencies relevant to the application.

350 (3) To receive applications for transmission line and
 351 corridor certifications and initially determine the completeness
 352 ~~and sufficiency~~ thereof.

353 (4) To make or contract for studies of certification
 354 applications. All ~~such~~ studies shall be related to the
 355 jurisdiction of the agencies relevant to the application. For
 356 studies in areas outside the jurisdiction of the department and
 357 in the jurisdiction of another agency, the department may
 358 initiate such studies, but only with the consent of the ~~such~~
 359 agency.

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360 (5) To administer the processing of applications for
361 certification and ensure that the applications, including
362 postcertification reviews, are processed on an expeditious and
363 priority basis ~~as expeditiously as possible~~.

364 (6) To collect and process ~~require~~ such fees as allowed by
365 this act.

366 (7) To prepare a report and project ~~written~~ analysis as
367 required by s. 403.526.

368 (8) To prescribe the means for monitoring the effects
369 arising from the location of the transmission line corridor and
370 the construction, operation, and maintenance of the transmission
371 lines to assure continued compliance with the terms of the
372 certification.

373 (9) To make a determination of acceptability of any
374 alternate corridor proposed for consideration under ~~pursuant to~~
375 s. 403.5271.

376 (10) To set requirements that reasonably protect the
377 public health and welfare from the electric and magnetic fields
378 of transmission lines for which an application is filed under
379 ~~after the effective date of~~ this act.

380 (11) To present rebuttal evidence on any issue properly
381 raised at the certification hearing.

382 (12) To issue final orders after receipt of the
383 administrative law judge's order relinquishing jurisdiction
384 pursuant to s. 403.527(6).

385 (13) To act as clerk for the siting board.

386 (14) To administer and manage the terms and conditions of
 387 the certification order and supporting documents and records for
 388 the life of the facility.

389 (15) To issue emergency orders on behalf of the board for
 390 facilities licensed under this act.

391 Section 5. Section 403.524, Florida Statutes, is amended
 392 to read:

393 403.524 Applicability; and certification; exemptions.--

394 (1) ~~The provisions of~~ This act applies ~~apply~~ to each
 395 transmission line, except a transmission line certified under
 396 ~~pursuant to~~ the Florida Electrical Power Plant Siting Act.

397 (2) Except as provided in subsection (1), ~~no~~ construction
 398 of a any transmission line may not be undertaken without first
 399 obtaining certification under this act, but ~~the provisions of~~
 400 this act does ~~de~~ not apply to:

401 (a) Transmission lines for which development approval has
 402 been obtained under ~~pursuant to~~ chapter 380.

403 (b) Transmission lines that ~~which~~ have been exempted by a
 404 binding letter of interpretation issued under s. 380.06(4), or
 405 in which the Department of Community Affairs or its predecessor
 406 agency has determined the utility to have vested development
 407 rights within the meaning of s. 380.05(18) or s. 380.06(20).

408 (c) Transmission line development in which all
 409 construction is limited to established rights-of-way.
 410 Established rights-of-way include ~~such~~ rights-of-way established
 411 at any time for roads, highways, railroads, gas, water, oil,
 412 electricity, or sewage and any other public purpose rights-of-
 413 way. If an established transmission line right-of-way is used to

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414 qualify for this exemption, the transmission line right-of-way
415 must have been established at least 5 years before notice of the
416 start of construction under subsection (4) of the proposed
417 transmission line. If an established transmission line right-of-
418 way is relocated to accommodate a public project, the date the
419 original transmission line right-of-way was established applies
420 to the relocated transmission line right-of-way for purposes of
421 this exemption. ~~Except for transmission line rights of way,~~
422 ~~established rights of way include rights of way created before~~
423 ~~or after October 1, 1983. For transmission line rights of way,~~
424 ~~established rights of way include rights of way created before~~
425 ~~October 1, 1983.~~

426 (d) Unless the applicant has applied for certification
427 under this act, transmission lines that ~~which~~ are less than 15
428 miles in length or are located in a single ~~which do not cross a~~
429 county within the state line, unless the applicant has elected
430 ~~to apply for certification under the act.~~

431 (3) The exemption of a transmission line under this act
432 does not constitute an exemption for the transmission line from
433 other applicable permitting processes under other provisions of
434 law or local government ordinances.

435 (4) An electric ~~A~~ utility shall notify the department in
436 writing, before ~~prior to~~ the start of construction, of its
437 intent to construct a transmission line exempted under ~~pursuant~~
438 ~~to this section. The~~ Such notice is ~~shall be~~ only for
439 information purposes, and ~~no~~ action by the department is not
440 ~~shall be~~ required pursuant to the ~~such~~ notice. This notice may
441 be included in any submittal filed with the department before

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442 the start of construction demonstrating that a new transmission
443 line complies with the applicable electric and magnetic field
444 standards.

445 Section 6. Section 403.525, Florida Statutes, is amended
446 to read:

447 403.525 ~~Appointment of Administrative law judge;~~
448 appointment; powers and duties.--

449 (1) (a) Within 7 days after receipt of an application,
450 whether complete or not, the department shall request the
451 Division of Administrative Hearings to designate an
452 administrative law judge to conduct the hearings required by
453 this act.

454 (b) The division director shall designate an
455 administrative law judge to conduct the hearings required by
456 this act within 7 days after receipt of the request from the
457 department. Whenever practicable, the division director shall
458 assign an administrative law judge who has had prior experience
459 or training in this type of certification proceeding.

460 (c) Upon being advised that an administrative law judge
461 has been designated, the department shall immediately file a
462 copy of the application and all supporting documents with the
463 administrative law judge, who shall docket the application.

464 (2) The administrative law judge has all powers and duties
465 granted to administrative law judges under chapter 120 and by
466 the laws and rules of the department.

467 Section 7. Section 403.5251, Florida Statutes, is amended
468 to read:

469 403.5251 ~~Distribution of Application; schedules.--~~

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470 (1) (a) The formal date of the filing of the application
471 for certification and commencement of the review process for
472 certification is the date on which the applicant submits:

473 1. Copies of the application for certification in a
474 quantity and format, electronic or otherwise as prescribed by
475 rule, to the department and other agencies identified in s.
476 403.526(2); and

477 2. The application fee as specified under s. 403.5365 to
478 the department.

479

480 The department shall provide to the applicant and the Division
481 of Administrative Hearings the names and addresses of any
482 additional agencies or persons entitled to notice and copies of
483 the application and amendments, if any, within 7 days after
484 receiving the application for certification and the application
485 fees.

486 (b) In the application, the starting point and ending
487 point of a transmission line must be specifically defined by the
488 applicant. Within 7 days after the filing of an application, the
489 department shall provide the applicant and the Division of
490 Administrative Hearings the names and addresses of those
491 affected or other agencies entitled to notice and copies of the
492 application and any amendments.

493 (2) Within 15 ~~7~~ days after the formal date of the
494 application filing completeness has been determined, the
495 department shall prepare a proposed schedule of dates for
496 determination of completeness, submission of statements of
497 issues, determination of sufficiency, and submittal of final

498 reports, ~~from affected and other agencies~~ and other significant
 499 dates to be followed during the certification process, including
 500 dates for filing notices of appearances to be a party under s.
 501 403.527(2) ~~pursuant to s. 403.527(4)~~. This schedule shall be
 502 provided by the department to the applicant, the administrative
 503 law judge, and the agencies identified under ~~pursuant to~~
 504 subsection (1). Within 7 days after the filing of this proposed
 505 schedule, the administrative law judge shall issue an order
 506 establishing a schedule for the matters addressed in the
 507 department's proposed schedule and other appropriate matters, if
 508 any.

509 (3) ~~Within 7 days after completeness has been determined,~~
 510 ~~the applicant shall distribute copies of the application to all~~
 511 ~~agencies identified by the department pursuant to subsection~~
 512 ~~(1).~~ Copies of changes and amendments to the application shall
 513 be timely distributed by the applicant to all agencies and
 514 parties who have received a copy of the application.

515 (4) Notice of the filing of the application shall be made
 516 in accordance with the requirements of s. 403.5363.

517 Section 8. Section 403.5252, Florida Statutes, is amended
 518 to read:

519 403.5252 Determination of completeness.--

520 (1) (a) Within 30 days after distribution of an
 521 application, the affected agencies shall file a statement with
 522 the department containing the recommendations of each agency
 523 concerning the completeness of the application for
 524 certification.

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525 (b) Within 7 ~~15~~ days after receipt of the completeness
526 statements of each agency ~~an application~~, the department shall
527 file a statement with the Division of Administrative Hearings,
528 ~~and~~ with the applicant, and with all parties declaring its
529 position with regard to the completeness, ~~not the sufficiency,~~
530 of the application. The statement of the department shall be
531 based upon its consultation with the affected agencies.

532 (2) ~~(1)~~ If the department declares the application to be
533 incomplete, the applicant, within 14 ~~15~~ days after the filing of
534 the statement by the department, shall file with the Division of
535 Administrative Hearings, with all parties, and with the
536 department ~~a statement~~:

537 (a) A withdrawal of ~~Agreeing with the statement of the~~
538 ~~department and withdrawing~~ the application;

539 (b) Additional information necessary to make the
540 application complete. After the department first determines the
541 application to be incomplete, the time schedules under this act
542 are not tolled if the applicant makes the application complete
543 within the 14-day period. A subsequent finding by the department
544 that the application remains incomplete tolls the time schedules
545 under this act until the application is determined complete;
546 ~~Agreeing with the statement of the department and agreeing to~~
547 ~~amend the application without withdrawing it. The time schedules~~
548 ~~referencing a complete application under this act shall not~~
549 ~~commence until the application is determined complete; or~~

550 (c) A statement contesting the department's determination
551 of incompleteness; or ~~statement of the department.~~

552 (d) A statement agreeing with the department and
553 requesting additional time to provide the information necessary
554 to make the application complete. If the applicant exercises
555 this option, the time schedules under this act are tolled until
556 the application is determined complete.

557 (3) (a) ~~(2)~~ If the applicant contests the determination by
558 the department that an application is incomplete, the
559 administrative law judge shall schedule a hearing on the
560 statement of completeness. The hearing shall be held as
561 expeditiously as possible, but not later than 21 ~~30~~ days after
562 the filing of the statement by the department. The
563 administrative law judge shall render a decision within 7 ~~10~~
564 days after the hearing.

565 (b) Parties to a hearing on the issue of completeness
566 shall include the applicant, the department, and any agency that
567 has jurisdiction over the matter in dispute. Any substantially
568 affected person who wishes to become a party to the hearing on
569 the issue of completeness must file a motion no later than 10
570 days before the date of the hearing.

571 (c) ~~(a)~~ If the administrative law judge determines that the
572 application was not complete ~~as filed~~, the applicant shall
573 withdraw the application or make such additional submittals as
574 necessary to complete it. The time schedules referencing a
575 complete application under this act do ~~shall~~ not commence until
576 the application is determined complete.

577 (d) ~~(b)~~ If the administrative law judge determines that the
578 application was complete at the time it was declared incomplete

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579 ~~filed~~, the time schedules referencing a complete application
580 under this act shall commence upon such determination.

581 (4) If the applicant provides additional information to
582 address the issues identified in the determination of
583 incompleteness, each affected agency may submit to the
584 department, no later than 14 days after the applicant files the
585 additional information, a recommendation on whether the agency
586 believes the application is complete. Within 21 days after
587 receipt of the additional information from the applicant
588 submitted under paragraphs (2) (b), (2) (d), or (3) (c) and
589 considering the recommendations of the affected agencies, the
590 department shall determine whether the additional information
591 supplied by an applicant makes the application complete. If the
592 department finds that the application is still incomplete, the
593 applicant may exercise any of the options specified in
594 subsection (2) as often as is necessary to resolve the dispute.

595 Section 9. Section 403.526, Florida Statutes, is amended
596 to read:

597 403.526 Preliminary statements of issues, reports, and
598 project analyses; and studies.--

599 (1) Each affected agency that is required to file a report
600 ~~which received an application~~ in accordance with this section ~~s.~~
601 ~~403.5251(3)~~ shall submit a preliminary statement of issues to
602 the department and all parties ~~the applicant~~ no later than 50 ~~60~~
603 days after the filing ~~distribution~~ of the complete application.
604 Such statements of issues shall be made available to each local
605 government for use as information for public meetings held under
606 ~~pursuant to~~ s. 403.5272. The failure to raise an issue in this

607 preliminary statement of issues does ~~shall~~ not preclude the
608 issue from being raised in the agency's report.

609 (2) (a) The following ~~affected~~ agencies shall prepare
610 reports as provided below and shall submit them to the
611 department and the applicant no later than ~~within~~ 90 days after
612 the filing ~~distribution~~ of the ~~complete~~ application:

613 1. The department shall prepare a report as to the impact
614 of each proposed transmission line or corridor as it relates to
615 matters within its jurisdiction.

616 2. Each water management district in the jurisdiction of
617 which a proposed transmission line or corridor is to be located
618 shall prepare a report as to the impact on water resources and
619 other matters within its jurisdiction.

620 3. The Department of Community Affairs shall prepare a
621 report containing recommendations which address the impact upon
622 the public of the proposed transmission line or corridor, based
623 on the degree to which the proposed transmission line or
624 corridor is consistent with the applicable portions of the state
625 comprehensive plan, emergency management, and other matters
626 within its jurisdiction. The Department of Community Affairs may
627 also comment on the consistency of the proposed transmission
628 line or corridor with applicable strategic regional policy plans
629 or local comprehensive plans and land development regulations.

630 4. The Fish and Wildlife Conservation Commission shall
631 prepare a report as to the impact of each proposed transmission
632 line or corridor on fish and wildlife resources and other
633 matters within its jurisdiction.

634 5. Each local government shall prepare a report as to the
635 impact of each proposed transmission line or corridor on matters
636 within its jurisdiction, including the consistency of the
637 proposed transmission line or corridor with all applicable local
638 ordinances, regulations, standards, or criteria that apply to
639 the proposed transmission line or corridor, including local
640 comprehensive plans, zoning regulations, land development
641 regulations, and any applicable local environmental regulations
642 adopted pursuant to s. 403.182 or by other means. A ~~No~~ change by
643 the responsible local government or local agency in local
644 comprehensive plans, zoning ordinances, or other regulations
645 made after the date required for the filing of the local
646 government's report required by this section is not ~~shall be~~
647 applicable to the certification of the proposed transmission
648 line or corridor unless the certification is denied or the
649 application is withdrawn.

650 6. Each regional planning council shall present a report
651 containing recommendations that address the impact upon the
652 public of the proposed transmission line or corridor based on
653 the degree to which the transmission line or corridor is
654 consistent with the applicable provisions of the strategic
655 regional policy plan adopted under ~~pursuant to~~ chapter 186 and
656 other impacts of each proposed transmission line or corridor on
657 matters within its jurisdiction.

658 7. The Department of Transportation shall prepare a report
659 as to the impact of the proposed transmission line or corridor
660 on state roads, railroads, airports, aeronautics, seaports, and
661 other matters within its jurisdiction.

662 8. The commission shall prepare a report containing its
663 determination under s. 403.537 and the report may include the
664 comments from the commission with respect to any other subject
665 within its jurisdiction.

666 9. Any other agency, if requested by the department, shall
667 also perform studies or prepare reports as to subjects within
668 the jurisdiction of the agency which may potentially be affected
669 by the proposed transmission line.

670 (b) Each report must ~~shall~~ contain:

671 1. A notice of any nonprocedural requirements not
672 specifically listed in the application from which a variance,
673 exemption, exception, or other relief is necessary in order for
674 the proposed corridor to be certified. Failure to include the
675 notice shall be treated as a waiver from the nonprocedural
676 requirements of that agency.

677 2. A recommendation for approval or denial of the
678 application.

679 3. The information on variances required by s. 403.531(2)
680 and proposed conditions of certification on matters within the
681 jurisdiction of each agency. For each condition proposed by an
682 agency, the agency shall list the specific statute, rule, or
683 ordinance, as applicable, which authorizes the proposed
684 condition.

685 (c) Each reviewing agency shall initiate the activities
686 required by this section no later than 15 days after the
687 ~~complete~~ application is filed ~~distributed~~. Each agency shall
688 keep the applicant and the department informed as to the
689 progress of its studies and any issues raised thereby.

690 (d) Receipt of an affirmative determination of need from
 691 the commission by the submittal deadline for agency reports
 692 under paragraph (a) is a condition precedent to further
 693 processing of the application.

694 (3) The department shall prepare a project ~~written~~
 695 analysis containing ~~which contains~~ a compilation of agency
 696 reports and summaries of the material contained therein which
 697 shall be filed with the administrative law judge and served on
 698 all parties no later than 115 ~~135~~ days after the application is
 699 filed ~~complete application has been distributed to the affected~~
 700 ~~agencies~~, and which shall include:

701 (a) A statement indicating whether the proposed electric
 702 transmission line will be in compliance with the rules of the
 703 department and affected agencies.

704 (b) ~~(a)~~ The studies and reports required by this section
 705 and s. 403.537.

706 (c) ~~(b)~~ Comments received from any other agency or person.

707 (d) ~~(e)~~ The recommendation of the department as to the
 708 disposition of the application, of variances, exemptions,
 709 exceptions, or other relief identified by any party, and of any
 710 proposed conditions of certification which the department
 711 believes should be imposed.

712 (4) The failure of any agency to submit a preliminary
 713 statement of issues or a report, or to submit its preliminary
 714 statement of issues or report within the allowed time, is ~~shall~~
 715 not ~~be~~ grounds for the alteration of any time limitation in this
 716 act under ~~pursuant to~~ s. 403.528. ~~Neither~~ The failure to submit
 717 a preliminary statement of issues or a report, or ~~nor~~ the

718 inadequacy of the preliminary statement of issues or report, are
 719 not ~~shall be~~ grounds to deny or condition certification.

720 Section 10. Section 403.527, Florida Statutes, is amended
 721 to read:

722 (Substantial rewording of section. See s. 403.527, F.S.,
 723 for present text.)

724 403.527 Certification hearing, parties, participants.--

725 (1) (a) No later than 145 days after the application is
 726 filed, the administrative law judge shall conduct a
 727 certification hearing pursuant to ss. 120.569 and 120.57 at a
 728 central location in proximity to the proposed transmission line
 729 or corridor.

730 (b) Notice of the certification hearing and other public
 731 hearings provided for in this section and notice of the deadline
 732 for filing of notice of intent to be a party shall be made in
 733 accordance with the requirements of s. 403.5363.

734 (2) (a) Parties to the proceeding shall be:

735 1. The applicant.

736 2. The department.

737 3. The commission.

738 4. The Department of Community Affairs.

739 5. The Fish and Wildlife Conservation Commission.

740 6. The Department of Transportation.

741 7. Each water management district in the jurisdiction of
 742 which the proposed transmission line or corridor is to be
 743 located.

744 8. The local government.

745 9. The regional planning council.

746 (b) Any party listed in paragraph (a), other than the
747 department or the applicant, may waive its right to participate
748 in these proceedings. If any listed party fails to file a notice
749 of its intent to be a party on or before the 30th day before the
750 certification hearing, the party is deemed to have waived its
751 right to be a party unless its participation would not prejudice
752 the rights of any party to the proceeding.

753 (c) Notwithstanding the provisions of chapter 120 to the
754 contrary, upon the filing with the administrative law judge of a
755 notice of intent to be a party by an agency, corporation, or
756 association described in subparagraphs 1. and 2. or a petition
757 for intervention by a person described in subparagraph 3. no
758 later than 30 days before the date set for the certification
759 hearing, the following shall also be parties to the proceeding:

760 1. Any agency not listed in paragraph (a) as to matters
761 within its jurisdiction.

762 2. Any domestic nonprofit corporation or association
763 formed, in whole or in part, to promote conservation of natural
764 beauty; to protect the environment, personal health, or other
765 biological values; to preserve historical sites; to promote
766 consumer interests; to represent labor, commercial, or
767 industrial groups; or to promote comprehensive planning or
768 orderly development of the area in which the proposed
769 transmission line or corridor is to be located.

770 3. Any person whose substantial interests are affected and
771 being determined by the proceeding.

772 (d) Any agency whose properties or works may be affected
 773 shall be made a party upon the request of the agency or any
 774 party to this proceeding.

775 (3) (a) The order of presentation at the certification
 776 hearing, unless otherwise changed by the administrative law
 777 judge to ensure the orderly presentation of witnesses and
 778 evidence, shall be:

- 779 1. The applicant.
- 780 2. The department.
- 781 3. State agencies.
- 782 4. Regional agencies, including regional planning councils
 783 and water management districts.
- 784 5. Local governments.
- 785 6. Other parties.

786 (b) When appropriate, any person may be given an
 787 opportunity to present oral or written communications to the
 788 administrative law judge. If the administrative law judge
 789 proposes to consider such communications, all parties shall be
 790 given an opportunity to cross-examine, challenge, or rebut the
 791 communications.

792 (4) One public hearing where members of the public who are
 793 not parties to the certification hearing may testify shall be
 794 held within the boundaries of each county, at the option of any
 795 local government.

796 (a) A local government shall notify the administrative law
 797 judge and all parties not later than 21 days after the
 798 application has been determined complete as to whether the local
 799 government wishes to have a public hearing. If a filing for an

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800 alternate corridor is accepted for consideration under s.
801 403.5271(1) by the department and the applicant, any newly
802 affected local government must notify the administrative law
803 judge and all parties not later than 10 days after the data
804 concerning the alternate corridor has been determined complete
805 as to whether the local government wishes to have such a public
806 hearing. The local government is responsible for providing the
807 location of the public hearing if held separately from the
808 certification hearing.

809 (b) Within 5 days after notification, the administrative
810 law judge shall determine the date of the public hearing, which
811 shall be held before or during the certification hearing. If two
812 or more local governments within one county request a public
813 hearing, the hearing shall be consolidated so that only one
814 public hearing is held in any county. The location of a
815 consolidated hearing shall be determined by the administrative
816 law judge.

817 (c) If a local government does not request a public
818 hearing within 21 days after the application has been determined
819 complete, persons residing within the jurisdiction of the local
820 government may testify during that portion of the certification
821 hearing at which public testimony is heard.

822 (5) At the conclusion of the certification hearing, the
823 administrative law judge shall, after consideration of all
824 evidence of record, issue a recommended order disposing of the
825 application no later than 45 days after the transcript of the
826 certification hearing and the public hearings is filed with the
827 Division of Administrative Hearings.

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828 (6) (a) No later than 25 days before the certification
829 hearing, the department or the applicant may request that the
830 administrative law judge cancel the certification hearing and
831 relinquish jurisdiction to the department if all parties to the
832 proceeding stipulate that there are no disputed issues of
833 material fact to be raised at the certification hearing.

834 (b) The administrative law judge shall issue an order
835 granting or denying the request within 5 days.

836 (c) If the administrative law judge grants the request,
837 the department and the applicant shall publish notices of the
838 cancellation of the certification hearing in accordance with s.
839 403.5363.

840 (d)1. If the administrative law judge grants the request,
841 the department shall prepare and issue a final order in
842 accordance with s. 403.529(1) (a).

843 2. Parties may submit proposed final orders to the
844 department no later than 10 days after the administrative law
845 judge issues an order relinquishing jurisdiction.

846 (7) The applicant shall pay those expenses and costs
847 associated with the conduct of the hearing and the recording and
848 transcription of the proceedings.

849 Section 11. Section 403.5271, Florida Statutes, is amended
850 to read:

851 403.5271 Alternate corridors.--

852 (1) No later than 45 ~~50~~ days before ~~prior to~~ the
853 originally scheduled certification hearing, any party may
854 propose alternate transmission line corridor routes for
855 consideration under ~~pursuant to~~ the provisions of this act.

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856 (a) A notice of a ~~any such~~ proposed alternate corridor
857 must ~~shall~~ be filed with the administrative law judge, all
858 parties, and any local governments in whose jurisdiction the
859 alternate corridor is proposed. The ~~Such~~ filing must ~~shall~~
860 include the most recent United States Geological Survey 1:24,000
861 quadrangle maps specifically delineating the corridor
862 boundaries, a description of the proposed corridor, and a
863 statement of the reasons the proposed alternate corridor should
864 be certified.

865 (b) 1. Within 7 days after receipt of the ~~such~~ notice, the
866 applicant and the department shall file with the administrative
867 law judge and all parties a notice of acceptance or rejection of
868 a proposed alternate corridor for consideration. If the
869 alternate corridor is rejected ~~either~~ by the applicant or the
870 department, the certification hearing and the public hearings
871 shall be held as scheduled. If both the applicant and the
872 department accept a proposed alternate corridor for
873 consideration, the certification hearing and the public hearings
874 shall be rescheduled, if necessary.

875 2. If rescheduled, the certification hearing shall be held
876 no more than 90 days after the previously scheduled
877 certification hearing, unless the data submitted under paragraph
878 (d) is determined to be incomplete, in which case the
879 rescheduled certification hearing shall be held no more than 105
880 days after the previously scheduled certification hearing. If
881 additional time is needed due to the alternate corridor crossing
882 a local government jurisdiction that was not previously
883 affected, ~~in which case~~ the remainder of the schedule listed

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884 below shall be appropriately adjusted by the administrative law
885 judge to allow that local government to prepare a report
886 pursuant to s. 403.526(2)(a)5.

887 (c) Notice of the filing of the alternate corridor, of the
888 revised time schedules, of the deadline for newly affected
889 persons and agencies to file notice of intent to become a party,
890 of the rescheduled hearing date, and of the proceedings pursuant
891 to s. 403.527(1)(b) and (c) shall be published in accordance
892 with s. 403.5363.

893 (d) Within 21 25 days after acceptance of an alternate
894 corridor by the department and the applicant, the party
895 proposing an alternate corridor shall have the burden of
896 providing all additional data to the agencies listed in s.
897 403.526(2) and newly affected agencies s. 403.526 necessary for
898 the preparation of a supplementary report on the proposed
899 alternate corridor.

900 (e)1. Reviewing agencies shall advise the department of
901 any issues concerning completeness no later than 15 days after
902 the submittal of the data required by paragraph (d). Within 22
903 days after receipt of the data, the department shall issue a
904 determination of completeness.

905 2. If the department determines that the data required by
906 paragraph (d) is not complete, the party proposing the alternate
907 corridor must file such additional data to correct the
908 incompleteness. This additional data must be submitted within 14
909 days after the determination by the department.

910 3. If the department, within 14 days after receiving the
911 additional data, determines that the data remains incomplete,

912 the incompleteness of the data is deemed a withdrawal of the
913 proposed alternate corridor. The department may make its
914 determination based on recommendations made by other affected
915 agencies. ~~If the department determines within 15 days that this~~
916 ~~additional data is insufficient, the party proposing the~~
917 ~~alternate corridor shall file such additional data that corrects~~
918 ~~the insufficiency within 15 days after the filing of the~~
919 ~~department's determination. If such additional data is~~
920 ~~determined insufficient, such insufficiency of data shall be~~
921 ~~deemed a withdrawal of the proposed alternate corridor. The~~
922 ~~party proposing an alternate corridor shall have the burden of~~
923 ~~proof on the certifiability of the alternate corridor at the~~
924 ~~certification hearing pursuant to s. 403.529(4). Nothing in this~~
925 ~~act shall be construed as requiring the applicant or agencies~~
926 ~~not proposing the alternate corridor to submit data in support~~
927 ~~of such alternate corridor.~~

928 (f) The agencies listed in s. 403.526(2) and any newly
929 affected agencies ~~s. 403.526~~ shall file supplementary reports
930 with the applicant and the department which address ~~addressing~~
931 ~~the proposed alternate corridors no later than 24 60 days after~~
932 ~~the additional data is submitted pursuant to paragraph (d) or~~
933 ~~paragraph (e) is determined to be complete.~~

934 (g) The agency reports on alternate corridors must include
935 all information required by s. 403.526(2) ~~agencies shall submit~~
936 ~~supplementary notice pursuant to s. 403.531(2) at the time of~~
937 ~~filing of their supplemental report.~~

938 (h) The department shall file with the administrative law
939 judge, the applicant, and all parties a project ~~prepare a~~

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940 ~~written~~ analysis consistent with s. 403.526(3) no more than 16
941 ~~at least 29~~ days after submittal of agency reports on ~~prior to~~
942 ~~the rescheduled certification hearing addressing~~ the proposed
943 alternate corridor.

944 (2) If the original certification hearing date is
945 rescheduled, the rescheduling shall not provide the opportunity
946 for parties to file additional alternate corridors to the
947 applicant's proposed corridor or any accepted alternate
948 corridor. However, an amendment to the application which changes
949 the alignment of the applicant's proposed corridor shall require
950 rescheduling of the certification hearing, if necessary, so as
951 to allow time for a party to file alternate corridors to the
952 realigned proposed corridor for which the application has been
953 amended. Any ~~such~~ alternate corridor proposal shall have the
954 same starting and ending points as the realigned portion of the
955 corridor proposed by the applicant's amendment, provided that
956 the administrative law judge for good cause shown may authorize
957 another starting or ending point in the area of the applicant's
958 amended corridor.

959 (3) (a) Notwithstanding the rejection of a proposed
960 alternate corridor by the applicant or the department, any party
961 may present evidence at the certification hearing to show that a
962 corridor proper for certification does not satisfy the criteria
963 listed in s. 403.529 or that a rejected alternate corridor would
964 meet the criteria set forth in s. 403.529. ~~No~~ Evidence may not
965 ~~shall~~ be admitted at the certification hearing on any alternate
966 corridor, unless the alternate corridor was proposed by the
967 filing of a notice at least 45 ~~50~~ days before ~~prior to~~ the

968 originally scheduled certification hearing pursuant to this
 969 section. Rejected alternate corridors shall be considered by the
 970 board as provided in s. 403.529(4) and (5).

971 (b) The party proposing an alternate corridor has the
 972 burden to prove that the alternate corridor can be certified at
 973 the certification hearing. This act does not require an
 974 applicant or agency that is not proposing the alternate corridor
 975 to submit data in support of the alternate corridor.

976 (4) If an alternate corridor is accepted by the applicant
 977 and the department pursuant to a notice of acceptance as
 978 provided in this subsection and the ~~such~~ corridor is ultimately
 979 determined to be the corridor that would meet the criteria set
 980 forth in s. 403.529(4) and (5), the board shall certify that
 981 corridor.

982 Section 12. Section 403.5272, Florida Statutes, is amended
 983 to read:

984 403.5272 ~~Local governments;~~ Informational public
 985 meetings.--

986 (1) A local government whose jurisdiction is to be crossed
 987 by a proposed corridor ~~governments~~ may hold one informational
 988 public meeting ~~meetings~~ in addition to the hearings specifically
 989 authorized by this act on any matter associated with the
 990 transmission line proceeding. The ~~Such~~ informational public
 991 meeting may be conducted by the local government or the regional
 992 planning council and shall ~~meetings should~~ be held no later than
 993 55 ~~90~~ days after the application is filed. The purpose of an
 994 informational public meeting is for the local government or
 995 regional planning council to further inform the ~~general~~ public

996 about the transmission line proposed, obtain comments from the
 997 public, and formulate its recommendation with respect to the
 998 proposed transmission line.

999 (2) Informational public meetings shall be held solely at
 1000 the option of each local government or regional planning
 1001 council. It is the legislative intent that local governments or
 1002 regional planning councils attempt to hold such public meetings.
 1003 Parties to the proceedings under this act shall be encouraged to
 1004 attend; however, a no party other than the applicant and the
 1005 department is not shall be required to attend the such
 1006 informational public meetings ~~hearings~~.

1007 (3) A local government or regional planning council that
 1008 intends to conduct an informational public meeting must provide
 1009 notice of the meeting, with notice sent to all parties listed in
 1010 s. 403.527(2)(a), not less than 5 days before the meeting.

1011 (4) ~~(3)~~ The failure to hold an informational public meeting
 1012 or the procedure used for the informational public meeting are
 1013 ~~shall not be~~ grounds for the alteration of any time limitation
 1014 in this act under pursuant to s. 403.528 or grounds to deny or
 1015 condition certification.

1016 Section 13. Section 403.5275, Florida Statutes, is amended
 1017 to read:

1018 403.5275 Amendment to the application.--

1019 (1) Any amendment made to the application before
 1020 certification shall be sent by the applicant to the
 1021 administrative law judge and to all parties to the proceeding.

1022 (2) Any amendment to the application made before ~~prior to~~
 1023 certification shall be disposed of as part of the original

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1024 certification proceeding. Amendment of the application may be
 1025 considered "good cause" for alteration of time limits pursuant
 1026 to s. 403.528.

1027 Section 14. Section 403.528, Florida Statutes, is amended
 1028 to read:

1029 403.528 Alteration of time limits.--

1030 (1) Any time limitation in this act may be altered by the
 1031 administrative law judge upon stipulation between the department
 1032 and the applicant unless objected to by any party within 5 days
 1033 after notice or for good cause shown by any party.

1034 (2) A comprehensive application encompassing more than one
 1035 proposed transmission line may be good cause for alternation of
 1036 time limits.

1037 Section 15. Section 403.529, Florida Statutes, is amended
 1038 to read:

1039 403.529 Final disposition of application.--

1040 (1)(a) If the administrative law judge has granted a
 1041 request to cancel the certification hearing and has relinquished
 1042 jurisdiction to the department under s. 403.527(6), within 40
 1043 days thereafter, the secretary of the department shall act upon
 1044 the application by written order in accordance with the terms of
 1045 this act and state the reasons for issuance or denial.

1046 (b) If the administrative law judge does not grant a
 1047 request to cancel the certification hearing under the provisions
 1048 of s. 403.527(6) within 60 ~~30~~ days after receipt of the
 1049 administrative law judge's recommended order, the board shall
 1050 act upon the application by written order, approving in whole,
 1051 approving with such conditions as the board deems appropriate,

1052 or denying the certification and stating the reasons for
 1053 issuance or denial.

1054 (2) The issues that may be raised in any hearing before
 1055 the board shall be limited to matters raised in the
 1056 certification proceeding before the administrative law judge or
 1057 raised in the recommended order of the administrative law judge.
 1058 All parties, or their representatives, or persons who appear
 1059 before the board shall be subject to ~~the provisions of s.~~
 1060 120.66.

1061 (3) If certification is denied, the board, or secretary if
 1062 applicable, shall set forth in writing the action the applicant
 1063 would have to take to secure the approval of the application ~~by~~
 1064 ~~the board~~.

1065 (4) In determining whether an application should be
 1066 approved in whole, approved with modifications or conditions, or
 1067 denied, the board, or secretary when applicable, shall consider
 1068 whether, and the extent to which, the location of the
 1069 transmission line corridor and the construction, operation, and
 1070 maintenance of the transmission line will:

1071 (a) Ensure electric power system reliability and
 1072 integrity;

1073 (b) Meet the electrical energy needs of the state in an
 1074 orderly, economical, and timely fashion;

1075 (c) Comply with applicable nonprocedural requirements of
 1076 agencies;

1077 (d) Be consistent with applicable provisions of local
 1078 government comprehensive plans, if any; and

1079 (e) Effect a reasonable balance between the need for the
 1080 transmission line as a means of providing reliable, economically
 1081 efficient electric energy, as determined by the commission,
 1082 under s. 403.537, ~~abundant low cost electrical energy~~ and the
 1083 impact upon the public and the environment resulting from the
 1084 location of the transmission line corridor and the construction,
 1085 operation, and maintenance of the transmission lines.

1086 (5)(a) Any transmission line corridor certified by the
 1087 board, or secretary if applicable, shall meet the criteria of
 1088 this section. When more than one transmission line corridor is
 1089 proper for certification under ~~pursuant to~~ s. 403.522(10) and
 1090 meets the criteria of this section, the board, or secretary if
 1091 applicable, shall certify the transmission line corridor that
 1092 has the least adverse impact regarding the criteria in
 1093 subsection (4), including costs.

1094 (b) If the board, or secretary if applicable, finds that
 1095 an alternate corridor rejected pursuant to s. 403.5271 meets the
 1096 criteria of subsection (4) and has the least adverse impact
 1097 regarding the criteria in subsection (4), including cost, of all
 1098 corridors that meet the criteria of subsection (4), ~~then~~ the
 1099 board, or secretary if applicable, shall deny certification or
 1100 shall allow the applicant to submit an amended application to
 1101 include the ~~such~~ corridor.

1102 (c) If the board, or secretary if applicable, finds that
 1103 two or more of the corridors that comply with ~~the provisions of~~
 1104 subsection (4) have the least adverse impacts regarding the
 1105 criteria in subsection (4), including costs, and that the ~~such~~
 1106 corridors are substantially equal in adverse impacts regarding

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1107 the criteria in subsection (4), including costs, ~~then~~ the board,
 1108 or secretary if applicable, shall certify the corridor preferred
 1109 by the applicant if the corridor is one proper for certification
 1110 under ~~pursuant to~~ s. 403.522(10).

1111 (6) The issuance or denial of the certification is ~~by the~~
 1112 ~~board shall be~~ the final administrative action required as to
 1113 that application.

1114 Section 16. Section 403.531, Florida Statutes, is amended
 1115 to read:

1116 403.531 Effect of certification.--

1117 (1) Subject to the conditions set forth therein,
 1118 certification shall constitute the sole license of the state and
 1119 any agency as to the approval of the location of transmission
 1120 line corridors and the construction, operation, and maintenance
 1121 of transmission lines. The certification is ~~shall be~~ valid for
 1122 the life of the transmission line, if provided that ~~construction~~
 1123 on, or condemnation or acquisition of, the right-of-way is
 1124 commenced within 5 years after ~~of~~ the date of certification or
 1125 such later date as may be authorized by the board.

1126 (2) (a) The certification authorizes ~~shall authorize~~ the
 1127 licensee applicant ~~applicant~~ to locate the transmission line corridor and
 1128 to construct and maintain the transmission lines subject only to
 1129 the conditions of certification set forth in the ~~such~~
 1130 certification.

1131 (b) The certification may include conditions that ~~which~~
 1132 constitute variances and exemptions from nonprocedural standards
 1133 or rules ~~regulations~~ of the department or any other agency,
 1134 which were expressly considered during the certification review

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1135 ~~proceeding~~ unless waived by the agency as provided in s. 403.526
1136 ~~below~~ and which otherwise would be applicable to the location of
1137 the proposed transmission line corridor or the construction,
1138 operation, and maintenance of the transmission lines. ~~Each party~~
1139 ~~shall notify the applicant and other parties at the time~~
1140 ~~scheduled for the filing of the agency reports of any~~
1141 ~~nonprocedural requirements not specifically listed in the~~
1142 ~~application from which a variance, exemption, exception, or~~
1143 ~~other relief is necessary in order for the board to certify any~~
1144 ~~corridor proposed for certification. Failure of such~~
1145 ~~notification shall be treated as a waiver from the nonprocedural~~
1146 ~~requirements of that agency.~~

1147 (3) (a) The certification shall be in lieu of any license,
1148 permit, certificate, or similar document required by any state,
1149 regional, or local agency under ~~pursuant to~~, but not limited to,
1150 chapter 125, chapter 161, chapter 163, chapter 166, chapter 186,
1151 chapter 253, chapter 258, chapter 298, chapter 370, chapter 372,
1152 chapter 373, chapter 376, chapter 380, chapter 381, ~~chapter 387,~~
1153 chapter 403, chapter 404, the Florida Transportation Code, or 33
1154 U.S.C. s. 1341.

1155 (b) On certification, any license, easement, or other
1156 interest in state lands, except those the title of which is
1157 vested in the Board of Trustees of the Internal Improvement
1158 Trust Fund, shall be issued by the appropriate agency as a
1159 ministerial act. The applicant shall ~~be required to~~ seek any
1160 necessary interest in state lands the title to which is vested
1161 in the Board of Trustees of the Internal Improvement Trust Fund
1162 from the board of trustees before, during, or after the

1163 certification proceeding, and certification may be made
 1164 contingent upon issuance of the appropriate interest in realty.
 1165 However, ~~neither~~ the applicant and ~~nor~~ any party to the
 1166 certification proceeding may not directly or indirectly raise or
 1167 relitigate any matter that ~~which~~ was or could have been an issue
 1168 in the certification proceeding in any proceeding before the
 1169 Board of Trustees of the Internal Improvement Trust Fund wherein
 1170 the applicant is seeking a necessary interest in state lands,
 1171 but the information presented in the certification proceeding
 1172 shall be available for review by the board of trustees and its
 1173 staff.

1174 (4) This act does ~~shall~~ not in any way affect the
 1175 ratemaking powers of the commission under chapter 366. This act
 1176 does ~~shall~~ ~~also~~ not in any way affect the right of any local
 1177 government to charge appropriate fees or require that
 1178 construction be in compliance with the National Electrical
 1179 Safety Code, as prescribed by the commission.

1180 (5) A ~~No~~ term or condition of certification may not ~~shall~~
 1181 be interpreted to preclude the postcertification exercise by any
 1182 party of whatever procedural rights it may have under chapter
 1183 120, including those related to rulemaking proceedings.

1184 Section 17. Section 403.5312, Florida Statutes, is amended
 1185 to read:

1186 403.5312 Filing ~~Recording~~ of notice of certified corridor
 1187 route.--

1188 (1) Within 60 days after certification of a directly
 1189 associated transmission line under ~~pursuant to~~ ss. 403.501-
 1190 403.518 or a transmission line corridor under ~~pursuant to~~ ss.

1191 403.52-403.5365, the applicant shall file with the department
 1192 and, in accordance with s. 28.222, with the clerk of the circuit
 1193 court for each county through which the corridor will pass, a
 1194 notice of the certified route.

1195 (2) The notice must ~~shall~~ consist of maps or aerial
 1196 photographs in the scale of 1:24,000 which clearly show the
 1197 location of the certified route and must ~~shall~~ state that the
 1198 certification of the corridor will result in the acquisition of
 1199 rights-of-way within the corridor. Each clerk shall record the
 1200 filing in the official record of the county for the duration of
 1201 the certification or until such time as the applicant certifies
 1202 to the department and the clerk that all lands required for the
 1203 transmission line rights-of-way within the corridor have been
 1204 acquired within the ~~such~~ county, whichever is sooner.

1205 (3) The recording of this notice does ~~shall~~ not constitute
 1206 a lien, cloud, or encumbrance on real property.

1207 Section 18. Section 403.5315, Florida Statutes, is amended
 1208 to read:

1209 403.5315 Modification of certification.--A certification
 1210 may be modified after issuance in any one of the following ways:

1211 (1) The board may delegate to the department the authority
 1212 to modify specific conditions in the certification.

1213 (2) The licensee may file a petition for modification with
 1214 the department or the department may initiate the modification
 1215 upon its own initiative.

1216 (a) A petition for modification must set forth:

- 1217 1. The proposed modification;
- 1218 2. The factual reasons asserted for the modification; and

1219 3. The anticipated additional environmental effects of the
 1220 proposed modification.

1221 ~~(b)(2)~~ The department may modify the terms and conditions
 1222 of the certification if no party objects in writing to the ~~such~~
 1223 modification within 45 days after notice by mail to the last
 1224 address of record in the certification proceeding, and if no
 1225 other person whose substantial interests will be affected by the
 1226 modification objects in writing within 30 days after issuance of
 1227 public notice.

1228 (c) If objections are raised or the department denies the
 1229 proposed modification, the licensee may file a request for
 1230 hearing on the modification with the department. Such a request
 1231 shall be handled pursuant to chapter 120.

1232 (d) A request for hearing referred to the Division of
 1233 Administrative Hearings shall be disposed of in the same manner
 1234 as an application but with time periods established by the
 1235 administrative law judge commensurate with the significance of
 1236 the modification requested. ~~If objections are raised, the~~
 1237 ~~applicant may file a petition for modification pursuant to~~
 1238 ~~subsection (3).~~

1239 ~~(3) The applicant or the department may file a petition~~
 1240 ~~for modification with the department and the Division of~~
 1241 ~~Administrative Hearings setting forth:~~

- 1242 ~~(a) The proposed modification;~~
- 1243 ~~(b) The factual reasons asserted for the modification; and~~
- 1244 ~~(c) The anticipated additional environmental effects of~~
 1245 ~~the proposed modification.~~

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1246 ~~(4) Petitions filed pursuant to subsection (3) shall be~~
1247 ~~disposed of in the same manner as an application but with time~~
1248 ~~periods established by the administrative law judge commensurate~~
1249 ~~with the significance of the modification requested.~~

1250 Section 19. Section 403.5317, Florida Statutes, is created
1251 to read:

1252 403.5317 Postcertification activities.--

1253 (1) (a) If, subsequent to certification, a licensee
1254 proposes any material change to the application or prior
1255 amendments, the licensee shall submit to the department a
1256 written request for amendment and description of the proposed
1257 change to the application. The department shall, within 30 days
1258 after the receipt of the request for the amendment, determine
1259 whether the proposed change to the application requires a
1260 modification of the conditions of certification.

1261 (b) If the department concludes that the change would not
1262 require a modification of the conditions of certification, the
1263 department shall notify, in writing, the licensee, all agencies,
1264 and all parties of the approval of the amendment.

1265 (c) If the department concludes that the change would
1266 require a modification of the conditions of certification, the
1267 department shall notify the licensee that the proposed change to
1268 the application requires a request for modification under s.
1269 403.5315.

1270 (2) Postcertification submittals filed by a licensee with
1271 one or more agencies are for the purpose of monitoring for
1272 compliance with the issued certification. Each submittal must be
1273 reviewed by each agency on an expedited and priority basis

1274 because each facility certified under this act is a critical
 1275 infrastructure facility. Postcertification review may not be
 1276 completed more than 90 days after complete information for a
 1277 segment of the certified transmission line is submitted to the
 1278 reviewing agencies.

1279 Section 20. Section 403.5363, Florida Statutes, is created
 1280 to read:

1281 403.5363 Public notices; requirements.--

1282 (1)(a) The applicant shall arrange for the publication of
 1283 the notices specified in paragraph (b).

1284 1. The notices shall be published in newspapers of general
 1285 circulation within counties crossed by the transmission line
 1286 corridors proper for certification. The required newspaper
 1287 notices for filing of an application and for the certification
 1288 hearing shall be one-half page in size in a standard-size
 1289 newspaper or a full page in a tabloid-size newspaper and
 1290 published in a section of the newspaper other than the section
 1291 for legal notices. These two notices must include a map
 1292 generally depicting all transmission corridors proper for
 1293 certification. A newspaper of general circulation shall be the
 1294 newspaper within a county crossed by a transmission line
 1295 corridor proper for certification which newspaper has the
 1296 largest daily circulation in that county and has its principal
 1297 office in that county. If the newspaper having the largest daily
 1298 circulation has its principal office outside the county, the
 1299 notices must appear in both the newspaper having the largest
 1300 circulation in that county and in a newspaper authorized to
 1301 publish legal notices in that county.

1302 2. The department shall adopt rules specifying the content
 1303 of the newspaper notices.

1304 3. All notices published by the applicant shall be paid
 1305 for by the applicant and shall be in addition to the application
 1306 fee.

1307 (b) Public notices that must be published under this
 1308 section include:

1309 1. The notice of the filing of an application, which must
 1310 include a description of the proceedings required by this act.
 1311 The notice must describe the provisions of s. 403.531(1) and (2)
 1312 and give the date by which notice of intent to be a party or a
 1313 petition to intervene in accordance with s. 403.527(2) must be
 1314 filed. This notice must be published no more than 21 days after
 1315 the application is filed.

1316 2. The notice of the certification hearing and any other
 1317 public hearing permitted under s. 403.527. The notice must
 1318 include the date by which a person wishing to appear as a party
 1319 must file the notice to do so. The notice of the certification
 1320 hearing must be published at least 65 days before the date set
 1321 for the certification hearing.

1322 3. The notice of the cancellation of the certification
 1323 hearing, if applicable. The notice must be published at least 3
 1324 days before the date of the originally scheduled certification
 1325 hearing.

1326 4. The notice of the filing of a proposal to modify the
 1327 certification submitted under s. 403.5315, if the department
 1328 determines that the modification would require relocation or

1329 expansion of the transmission line right-of-way or a certified
1330 substation.

1331 (2) The proponent of an alternate corridor shall arrange
1332 for the publication of the filing of the proposal for an
1333 alternate corridor, the revised time schedules, the date by
1334 which newly affected persons or agencies may file the notice of
1335 intent to become a party, and the date of the rescheduled
1336 hearing. A notice listed in this subsection must be published in
1337 a newspaper of general circulation within the county or counties
1338 crossed by the proposed alternate corridor and comply with the
1339 content requirements set forth in paragraph (1) (a). The notice
1340 must be published not less than 50 days before the rescheduled
1341 certification hearing.

1342 (3) The department shall arrange for the publication of
1343 the following notices in the manner specified by chapter 120:

1344 (a) The notice of the filing of an application and the
1345 date by which a person intending to become a party must file the
1346 notice of intent. The notice must be published no later than 21
1347 days after the application has been filed.

1348 (b) The notice of any administrative hearing for
1349 certification, if applicable. The notice must be published not
1350 less than 65 days before the date set for a hearing, except that
1351 notice for a rescheduled certification hearing after acceptance
1352 of an alternative corridor must be published not less than 50
1353 days before the date set for the hearing.

1354 (c) The notice of the cancellation of a certification
1355 hearing, if applicable. The notice must be published not later

1356 than 7 days before the date of the originally scheduled
 1357 certification hearing.

1358 (d) The notice of the hearing before the siting board, if
 1359 applicable.

1360 (e) The notice of stipulations, proposed agency action, or
 1361 a petition for modification.

1362 Section 21. Section 403.5365, Florida Statutes, is amended
 1363 to read:

1364 403.5365 Fees; disposition.--The department shall charge
 1365 the applicant the following fees, as appropriate, which, unless
 1366 otherwise specified, shall be paid into the Florida Permit Fee
 1367 Trust Fund:

1368 (1) An application fee.

1369 (a) The application fee shall be of \$100,000, plus \$750
 1370 per mile for each mile of corridor in which the transmission
 1371 line right-of-way is proposed to be located within an existing
 1372 electric ~~electrical~~ transmission line right-of-way or within any
 1373 existing right-of-way for any road, highway, railroad, or other
 1374 aboveground linear facility, or \$1,000 per mile for each mile of
 1375 electric transmission line corridor proposed to be located
 1376 outside the ~~such~~ existing right-of-way.

1377 (b) ~~(a)~~ Sixty percent of the fee shall go to the department
 1378 to cover any costs associated with coordinating the review of
 1379 ~~reviewing~~ and acting upon the application and any costs for
 1380 field services associated with monitoring construction and
 1381 operation of the electric transmission line facility.

1382 (c) ~~(b)~~ The following percentage Twenty percent of the fees
 1383 ~~specified under this section, except postcertification fees,~~

1384 shall be transferred to the Administrative Trust Fund of the
 1385 Division of Administrative Hearings of the Department of
 1386 Management Services:—

1387 1. Five percent to compensate for expenses from the
 1388 initial exercise of duties associated with the filing of an
 1389 application.

1390 2. An additional 10 percent if an administrative hearing
 1391 under s. 403.527 is held.

1392 (d)1.(e) Upon written request with proper itemized
 1393 accounting within 90 days after final agency action by the
 1394 siting board or the department or the withdrawal of the
 1395 application, the agencies that prepared reports under s. 403.526
 1396 or s. 403.5271 or participated in a hearing under s. 403.527 or
 1397 s. 403.5271 may submit a written request to the department for
 1398 reimbursement of expenses incurred during the certification
 1399 proceedings. The request must contain an accounting of expenses
 1400 incurred, which may include time spent reviewing the
 1401 application, department shall reimburse the expenses and costs
 1402 of the Department of Community Affairs, the Fish and Wildlife
 1403 Conservation Commission, the water management district, regional
 1404 planning council, and local government in the jurisdiction of
 1405 which the transmission line is to be located. Such reimbursement
 1406 shall be authorized for the preparation of any studies required
 1407 of the agencies by this act, and for agency travel and per diem
 1408 to attend any hearing held under pursuant to this act, and for
 1409 the local government or regional planning council providing
 1410 additional notice of the informational public meeting. The
 1411 department shall review the request and verify whether a claimed

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1412 expense is valid. Valid expenses shall be reimbursed; however,
 1413 if to participate in the proceedings. In the event the amount of
 1414 funds available for reimbursement allocation is insufficient to
 1415 provide for full compensation ~~complete reimbursement~~ to the
 1416 agencies, reimbursement shall be on a prorated basis.

1417 2. If the application review is held in abeyance for more
 1418 than 1 year, the agencies may submit a request for reimbursement
 1419 under subparagraph 1.

1420 (e) ~~(d)~~ If any sums are remaining, the department shall
 1421 retain them for its use in the same manner as is otherwise
 1422 authorized by this section; ~~provided,~~ however, ~~that~~ if the
 1423 certification application is withdrawn, the remaining sums shall
 1424 be refunded to the applicant within 90 days after withdrawal.

1425 (2) An amendment fee.

1426 (a) If no corridor alignment change is proposed by the
 1427 amendment, no amendment fee shall be charged.

1428 (b) If a corridor alignment change under s. 403.5275 is
 1429 proposed by the applicant, an additional fee of a minimum of
 1430 \$2,000 and \$750 per mile shall be submitted to the department
 1431 for use in accordance with this act.

1432 (c) If an amendment is required to address issues,
 1433 including alternate corridors under ~~pursuant to~~ s. 403.5271,
 1434 raised by the department or other parties, no fee for the ~~such~~
 1435 amendment shall be charged.

1436 (3) A certification modification fee.

1437 (a) If no corridor alignment change is proposed by the
 1438 licensee ~~applicant~~, the modification fee shall be \$4,000.

1439 (b) If a corridor alignment change is proposed by the
 1440 licensee applicant, the fee shall be \$1,000 for each mile of
 1441 realignment plus an amount not to exceed \$10,000 to be fixed by
 1442 rule on a sliding scale based on the load-carrying capability
 1443 and configuration of the transmission line for use in accordance
 1444 with subsection (1) ~~(2)~~.

1445 Section 22. Subsection (1) of section 403.537, Florida
 1446 Statutes, is amended to read:

1447 403.537 Determination of need for transmission line;
 1448 powers and duties.--

1449 (1) (a) Upon request by an applicant or upon its own
 1450 motion, the Florida Public Service Commission shall schedule a
 1451 public hearing, after notice, to determine the need for a
 1452 transmission line regulated by the Florida Electric Transmission
 1453 Line Siting Act, ss. 403.52-403.5365. The ~~Such~~ notice shall be
 1454 published at least 21 ~~45~~ days before the date set for the
 1455 hearing and shall be published by the applicant in at least one-
 1456 quarter page size notice in newspapers of general circulation,
 1457 and by the commission in the manner specified in chapter 120 in
 1458 ~~the Florida Administrative Weekly~~, by giving notice to counties
 1459 and regional planning councils in whose jurisdiction the
 1460 transmission line could be placed, and by giving notice to any
 1461 persons who have requested to be placed on the mailing list of
 1462 the commission for this purpose. Within 21 days after receipt of
 1463 a request for determination by an applicant, the commission
 1464 shall set a date for the hearing. The hearing shall be held
 1465 pursuant to s. 350.01 within 45 days after the filing of the

1466 request, and a decision shall be rendered within 60 days after
 1467 such filing.

1468 (b) The commission shall be the sole forum in which to
 1469 determine the need for a transmission line. The need for a
 1470 transmission line may not be raised or be the subject of review
 1471 in another proceeding.

1472 (c)~~(b)~~ In the determination of need, the commission shall
 1473 take into account the need for electric system reliability and
 1474 integrity, the need for abundant, low-cost electrical energy to
 1475 assure the economic well-being of the residents ~~citizens~~ of this
 1476 state, the appropriate starting and ending point of the line,
 1477 and other matters within its jurisdiction deemed relevant to the
 1478 determination of need. The appropriate starting and ending
 1479 points of the electric transmission line must be verified by the
 1480 commission in its determination of need.

1481 (d)~~(e)~~ The determination by the commission of the need for
 1482 the transmission line, as defined in s. 403.522(22) ~~s.~~
 1483 ~~403.522(21)~~, is binding on all parties to any certification
 1484 proceeding under ~~pursuant to~~ the Florida Electric Transmission
 1485 Line Siting Act and is a condition precedent to the conduct of
 1486 the certification hearing prescribed therein. An order entered
 1487 pursuant to this section constitutes final agency action.

1488 Section 23. Subsection (3) of section 373.441, Florida
 1489 Statutes, is amended to read:

1490 373.441 Role of counties, municipalities, and local
 1491 pollution control programs in permit processing.--

1492 (3) The department shall review environmental resource
 1493 permit applications for electrical distribution and transmission

1494 lines and other facilities related to the production,
 1495 transmission, and distribution of electricity which are not
 1496 certified under ss. 403.52-403.5365, the Florida Electric
 1497 Transmission Line Siting Act, regulated under this part.

1498 Section 24. Subsection (30) of section 403.061, Florida
 1499 Statutes, is amended to read:

1500 403.061 Department; powers and duties.--The department
 1501 shall have the power and the duty to control and prohibit
 1502 pollution of air and water in accordance with the law and rules
 1503 adopted and promulgated by it and, for this purpose, to:

1504 (30) Establish requirements by rule that reasonably
 1505 protect the public health and welfare from electric and magnetic
 1506 fields associated with existing 230 kV or greater electrical
 1507 transmission lines, new 230 kV and greater electrical
 1508 transmission lines for which an application for certification
 1509 under the Florida Electric Transmission Line Siting Act, ss.
 1510 403.52-403.5365, is not filed, new or existing electrical
 1511 transmission or distribution lines with voltage less than 230
 1512 kV, and substation facilities. Notwithstanding any other
 1513 provision in this chapter or any other law of this state or
 1514 political subdivision thereof, the department shall have
 1515 exclusive jurisdiction in the regulation of electric and
 1516 magnetic fields associated with all electrical transmission and
 1517 distribution lines and substation facilities. However, nothing
 1518 herein shall be construed as superseding or repealing the
 1519 provisions of s. 403.523(1) and (10).

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1521 The department shall implement such programs in conjunction with
 1522 its other powers and duties and shall place special emphasis on
 1523 reducing and eliminating contamination that presents a threat to
 1524 humans, animals or plants, or to the environment.

1525 Section 25. Paragraph (a) of subsection (3) of section
 1526 403.0876, Florida Statutes, is amended to read:

1527 403.0876 Permits; processing.--

1528 (3)(a) The department shall establish a special unit for
 1529 permit coordination and processing to provide expeditious
 1530 processing of department permits which the district offices are
 1531 unable to process expeditiously and to provide accelerated
 1532 processing of certain permits or renewals for economic and
 1533 operating stability. The ability of the department to process
 1534 applications under ~~pursuant to~~ this subsection in a more timely
 1535 manner than allowed by subsections (1) and (2) is dependent upon
 1536 the timely exchange of information between the applicant and the
 1537 department and the intervention of outside parties as allowed by
 1538 law. An applicant may request the processing of its permit
 1539 application by the special unit if the application is from an
 1540 area of high unemployment or low per capita income, is from a
 1541 business or industry that is the primary employer within an
 1542 area's labor market, or is in an industry with respect to which
 1543 the complexities involved in the review of the application
 1544 require special skills uniquely available in the headquarters
 1545 office. The department may require the applicant to waive the
 1546 90-day time limitation for department issuance or denial of the
 1547 permit once for a period not to exceed 90 days. The department
 1548 may require a special fee to cover the direct cost of processing

1549 special applications in addition to normal permit fees and
 1550 costs. The special fee may not exceed \$10,000 per permit
 1551 required. Applications for renewal permits, but not applications
 1552 for initial permits, required for facilities pursuant to the
 1553 Electrical Power Plant Siting Act or the Florida Electric
 1554 Transmission Line Siting Act may be processed under this
 1555 subsection. Personnel staffing the special unit shall have
 1556 lengthy experience in permit processing.

1557 Section 26. Paragraph (b) of subsection (3) of section
 1558 403.809, Florida Statutes, is amended to read:

1559 403.809 Environmental districts; establishment; managers;
 1560 functions.--

1561 (3)

1562 (b) The processing of all applications for permits,
 1563 licenses, certificates, and exemptions shall be accomplished at
 1564 the district center or the branch office, except for those
 1565 applications specifically assigned elsewhere in the department
 1566 under s. 403.805 or to the water management districts under s.
 1567 403.812 and those applications assigned by interagency agreement
 1568 as provided in this act. However, the secretary, as head of the
 1569 department, may not delegate to district or subdistrict
 1570 managers, water management districts, or any unit of local
 1571 government the authority to act on the following types of permit
 1572 applications:

1573 1. Permits issued under s. 403.0885, except such permit
 1574 issuance may be delegated to district managers.

1575 2. Construction of major air pollution sources.

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1576 3. Certifications under the Florida Electrical Power Plant
1577 Siting Act or the Florida Electric Transmission Line Siting Act
1578 and the associated permit issued under s. 403.0885, if
1579 applicable.

1580 4. Permits issued under s. 403.0885 to steam electric
1581 generating facilities regulated pursuant to 40 C.F.R. part 423.

1582 5. Permits issued under s. 378.901.

1583 Section 27. Sections 403.5253 and 403.5369, Florida
1584 Statutes, are repealed.

1585 Section 28. This act shall take effect upon becoming a
1586 law.