

Bill No. HB 549, 1st Eng.

Barcode 303752

CHAMBER ACTION

Senate

House

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Senator Bennett moved the following amendment:

**Senate Amendment**

Delete lines 122-194,

and insert:

Section 2. Subsection (4) is added to section 403.502,  
Florida Statutes, to read:

403.502 Legislative intent.--The Legislature finds  
that the present and predicted growth in electric power  
demands in this state requires the development of a procedure  
for the selection and utilization of sites for electrical  
generating facilities and the identification of a state  
position with respect to each proposed site. The Legislature  
recognizes that the selection of sites and the routing of  
associated transmission lines will have a significant impact  
upon the welfare of the population, the location and growth of  
industry, and the use of the natural resources of the state.  
The Legislature finds that the efficiency of the permit  
application and review process at both the state and local  
level would be improved with the implementation of a process

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1 | whereby a permit application would be centrally coordinated  
 2 | and all permit decisions could be reviewed on the basis of  
 3 | standards and recommendations of the deciding agencies. It is  
 4 | the policy of this state that, while recognizing the pressing  
 5 | need for increased power generation facilities, the state  
 6 | shall ensure through available and reasonable methods that the  
 7 | location and operation of electrical power plants will produce  
 8 | minimal adverse effects on human health, the environment, the  
 9 | ecology of the land and its wildlife, and the ecology of state  
 10 | waters and their aquatic life and will not unduly conflict  
 11 | with the goals established by the applicable local  
 12 | comprehensive plans. It is the intent to seek courses of  
 13 | action that will fully balance the increasing demands for  
 14 | electrical power plant location and operation with the broad  
 15 | interests of the public. Such action will be based on these  
 16 | premises:

17 |       (4) To assure the citizens of Florida that renewable  
 18 | energy sources and technologies, as well as conservation  
 19 | measures, are utilized to the extent reasonably available.

20 |       Section 3. Subsections (3) and (4) of section 403.519,  
 21 | Florida Statutes, are amended to read:

22 |       403.519 Exclusive forum for determination of need.--

23 |       (3) The commission shall be the sole forum for the  
 24 | determination of this matter, which accordingly shall not be  
 25 | raised in any other forum or in the review of proceedings in  
 26 | such other forum. In making its determination, the commission  
 27 | shall take into account the need for electric system  
 28 | reliability and integrity, the need for adequate electricity  
 29 | at a reasonable cost, the need for fuel diversity and supply  
 30 | reliability, ~~and~~ whether the proposed plant is the most  
 31 | cost-effective alternative available, and whether renewable

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1 energy sources and technologies, as well as conservation  
 2 measures, are utilized to the extent reasonably available. The  
 3 commission shall also expressly consider the conservation  
 4 measures taken by or reasonably available to the applicant or  
 5 its members which might mitigate the need for the proposed  
 6 plant and other matters within its jurisdiction which it deems  
 7 relevant. The commission's determination of need for an  
 8 electrical power plant shall create a presumption of public  
 9 need and necessity and shall serve as the commission's report  
 10 required by s. 403.507(4). An order entered pursuant to this  
 11 section constitutes final agency action.

12 (4) In making its determination on a proposed  
 13 electrical power plant using nuclear materials or synthesis  
 14 gas produced by integrated gasification combined cycle power  
 15 plant as fuel, the commission shall hold a hearing within 90  
 16 days after the filing of the petition to determine need and  
 17 shall issue an order granting or denying the petition within  
 18 135 days after the date of the filing of the petition. The  
 19 commission shall be the sole forum for the determination of  
 20 this matter and the issues addressed in the petition, which  
 21 accordingly shall not be reviewed in any other forum, or in  
 22 the review of proceedings in such other forum. In making its  
 23 determination to either grant or deny the petition, the  
 24 commission shall consider the need for electric system  
 25 reliability and integrity, including fuel diversity, the need  
 26 for base-load generating capacity, ~~and~~ the need for adequate  
 27 electricity at a reasonable cost, and whether renewable energy  
 28 sources and technologies, as well as conservation measures,  
 29 are utilized to the extent reasonably available.

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