

By Senator Dockery

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1 A bill to be entitled

2 An act relating to renewable energy technologies and
3 energy efficiency; providing a short title; amending s.
4 377.803, F.S.; defining the term "net metering"; creating
5 s. 377.805, F.S.; establishing the Net Metering Incentive
6 Program within the Department of Environmental Protection;
7 directing the Public Service Commission to require all
8 electric utilities to develop net metering programs;
9 requiring electric utilities to make certain meters
10 available to customers; providing for a customer to
11 receive credit for electricity generated by renewable
12 energy systems owned by the customer; providing
13 eligibility criteria; authorizing the commission and the
14 department to adopt rules; specifying a period during
15 which the sale of energy-efficient products is exempt from
16 certain tax; providing a limitation; providing a
17 definition; prohibiting purchase of products by certain
18 payment methods; providing that certain purchases or
19 attempts to purchase are unfair methods of competition and
20 punishable as such; authorizing the Department of Revenue
21 to adopt rules; providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. This act may be cited as the "Florida Net
26 Metering Incentive Act."

27 Section 2. Subsections (5) through (10) of section 377.803,
28 Florida Statutes, are renumbered as subsections (6) through (11),

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29 respectively, and a new subsection (5) is added to that section
30 to read:

31 377.803 Definitions.--As used in ss. 377.801-377.806, the
32 term:

33 (5) "Net metering" means a process by which an electric
34 utility credits a customer at the full retail rate for
35 electricity produced by one or more renewable energy systems
36 generating more electricity than the customer consumes.

37 Section 3. Section 377.805, Florida Statutes, is created to
38 read:

39 377.805 Net Metering Incentive Program.--

40 (1) The Net Metering Incentive Program is established
41 within the department to provide consumers with an incentive to
42 use renewable energy technologies by increasing the value of the
43 energy they create.

44 (2) The commission shall require all electric utilities to
45 develop net metering programs that meet the requirements of this
46 subsection. The utilities shall make available to customers
47 reversible electric meters that subtract the amount of
48 electricity a customer generates from the amount of energy a
49 customer consumes. The customer shall receive credit at the full
50 retail rate for electricity generated by eligible renewable
51 energy systems. If the customer's system generates more energy
52 than the customer consumes during a billing cycle, the customer
53 shall pay only the basic charge for service and the excess credit
54 shall be carried forward to the following billing cycle. Pursuant
55 to s. 366.81, the utility may not discriminate in the rate or
56 rate structure on the basis of the customer-owned renewable
57 energy system.

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58 (3) To be eligible to participate in the program, the
59 customer's system must use a renewable source of energy to
60 produce the electricity, must have an aggregate power output of
61 no more than 25 kilowatts single-phase or 100 kilowatts three-
62 phase, and must meet the safety and compatibility requirements
63 set by rule of the commission.

64 (4) The commission and the department may adopt rules
65 pursuant to ss. 120.536(1) and 120.54 to implement and administer
66 this section, including any amendment of current interconnection
67 standards.

68 Section 4. The period from 12:01 a.m., October 5, 2008,
69 through midnight, October 14, 2008, shall be designated "Energy-
70 Efficient Products Sales Tax Holiday," and the tax levied under
71 chapter 212, Florida Statutes, may not be collected on the sale
72 of a new energy-efficient product having a selling price of
73 \$1,500 or less per product during that period. This exemption
74 applies only when the energy-efficient product is purchased for
75 noncommercial home or personal use and does not apply when the
76 product is purchased for trade, business, or resale. As used in
77 this section, the term "energy-efficient product" means a
78 dishwasher, clothes washer, air conditioner, ceiling fan,
79 incandescent or florescent light bulb, dehumidifier, programmable
80 thermostat, or refrigerator that has been designated by the
81 United States Environmental Protection Agency or by the United
82 States Department of Energy as meeting or exceeding the
83 requirements under the Energy Star Program of either agency.
84 Purchases made under this section may not be made using a
85 business or company credit or debit card or check. Any
86 construction company, building contractor, or commercial business

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87 | or entity that purchases or attempts to purchase the energy-
88 | efficient products as exempt under this section commits an unfair
89 | method of competition in violation of s. 501.204, Florida
90 | Statutes, punishable as provided in s. 501.2075, Florida
91 | Statutes. The Department of Revenue may adopt rules under ss.
92 | 120.536(1) and 120.54, Florida Statutes, to administer this
93 | section.

94 | Section 5. This act shall take effect upon becoming a law.