

1                                   A bill to be entitled  
 2       An act relating to renewable energy; amending s. 366.92,  
 3       F.S.; expanding legislative intent relating to the state's  
 4       renewable energy policy; amending ss. 377.703 and 377.803,  
 5       F.S.; revising definitions of the terms "renewable energy  
 6       resource" and "renewable energy" and defining the term  
 7       "biomass" for purposes of those definitions; requiring the  
 8       Florida Public Service Commission and the Department of  
 9       Environmental Protection to submit a report relating to  
 10      current renewable energy opportunities, resources, and  
 11      technologies in the state; requiring the commission and  
 12      the department to evaluate the effects of certain energy-  
 13      generation methods; providing evaluation criteria;  
 14      providing for the ranking of energy-generation methods  
 15      based on the results of such evaluation; requiring the  
 16      commission to develop and adopt renewable energy portfolio  
 17      standards; providing an effective date.

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

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 21           Section 1. Subsection (1) of section 366.92, Florida  
 22   Statutes, is amended to read:

23           366.92 Florida renewable energy policy.--

24           (1) It is the intent of the Legislature to promote the  
 25   development of renewable energy; protect the economic viability  
 26   of Florida's existing renewable energy facilities; diversify the  
 27   types of fuel used to generate electricity in Florida; lessen  
 28   Florida's dependence on natural gas and fuel oil for the

29 production of electricity; minimize the volatility of fuel  
 30 costs; encourage investment within the state; improve  
 31 environmental conditions; ~~and, at the same time,~~ minimize the  
 32 costs of power supply to electric utilities and their customers;  
 33 and, at the same time, be consistent with the state's greenhouse  
 34 gas reduction goals and air quality standards and the guiding  
 35 principles of reliability, affordability, efficiency, and  
 36 diversity.

37 Section 2. Paragraph (j) of subsection (2) of section  
 38 377.703, Florida Statutes, is amended to read:

39 377.703 Additional functions of the Department of  
 40 Environmental Protection; energy emergency contingency plan;  
 41 federal and state conservation programs.--

42 (2) DEFINITIONS.--

43 (j) "Renewable energy resource" means electrical,  
 44 mechanical, or thermal energy produced from a method that uses  
 45 one or more of the following fuels or energy sources: hydrogen  
 46 produced from sources other than fossil fuels or nuclear energy,  
 47 biomass, solar energy, geothermal energy, wind energy, ocean  
 48 energy, waste heat, or hydroelectric power. As used in this  
 49 paragraph, "biomass" means a power source that is comprised of  
 50 combustible residues, oils, or gases from forest products  
 51 manufacturing, agricultural and orchard crops, waste products  
 52 from livestock and poultry operations and food processing, urban  
 53 wood waste, biogenic municipal solid waste, municipal liquid  
 54 waste treatment operations, and landfills ~~any method, process,~~  
 55 ~~or substance the use of which does not diminish its availability~~  
 56 ~~or abundance, including, but not limited to, biomass conversion,~~

57 ~~geothermal energy, solar energy, wind energy, wood fuels derived~~  
 58 ~~from waste, ocean thermal gradient power, hydroelectric power,~~  
 59 ~~and fuels derived from agricultural products.~~

60 Section 3. Subsection (6) of section 377.803, Florida  
 61 Statutes, is amended to read:

62 377.803 Definitions.--As used in ss. 377.801-377.806, the  
 63 term:

64 (6) "Renewable energy" means electrical, mechanical, or  
 65 thermal energy produced from a method that uses one or more of  
 66 the following fuels or energy sources: hydrogen produced from  
 67 sources other than fossil fuels or nuclear energy, biomass,  
 68 solar energy, geothermal energy, wind energy, ocean energy,  
 69 waste heat, or hydroelectric power. As used in this subsection,  
 70 "biomass" means a power source that is comprised of combustible  
 71 residues, oils, or gases from forest products manufacturing,  
 72 agricultural and orchard crops, waste products from livestock  
 73 and poultry operations and food processing, urban wood waste,  
 74 biogenic municipal solid waste, municipal liquid waste treatment  
 75 operations, and landfills.

76 Section 4. (1) By January 1, 2009, the Florida Public  
 77 Service Commission and the Department of Environmental  
 78 Protection shall prepare a current and comprehensive assessment  
 79 of renewable energy opportunities and demand-side resources and  
 80 technologies in the state and submit a report to the Governor,  
 81 the President of the Senate, and the Speaker of the House of  
 82 Representatives. The report shall address existing and potential  
 83 renewable resources and technologies, economic considerations,  
 84 and environmental issues.

85        (2) By July 1, 2009, the Florida Public Service Commission  
86 shall evaluate each method used, or proposed to be used, to  
87 generate electricity in the state to determine its efficacy in  
88 achieving the goals of reliability, affordability, efficiency,  
89 and diversity. This evaluation process should establish the  
90 levelized cost in cents per kilowatt hour and incremental  
91 capacity in kilowatts for each generation method.

92        (3) By July 1, 2009, the Department of Environmental  
93 Protection shall measure the environmental effects of each  
94 method used, or proposed to be used, to generate electricity in  
95 the state in order to create an emission profile and determine a  
96 greenhouse coefficient for each generation method measured in  
97 equivalent pounds of carbon dioxide emitted per megawatt hour of  
98 electricity generated.

99        (4) By July 1, 2009, the Florida Public Service Commission  
100 and the Department of Environmental Protection shall:

101        (a) Establish a ranking for all generation methods used,  
102 or proposed to be used, in the generation of electricity in the  
103 state based on the quantitative results determined by the  
104 commission under subsection (2).

105        (b) Determine how to achieve state greenhouse gas emission  
106 goals using the quantitative results determined by the  
107 department under subsection (3) within the content of the  
108 ranking established under paragraph (a). The greenhouse effect  
109 of each generation method may be calculated using greenhouse  
110 coefficients and incremental capacity data.

111        (5) By September 1, 2009, the Florida Public Service  
112 Commission shall use the rankings established under subsection

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113 (4) to develop and adopt, by rule, a renewable energy portfolio  
114 standard that will appropriately promote the use and development  
115 of renewable energy resources and technologies in the state.

116 Section 5. This act shall take effect July 1, 2008.