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CHAMBER ACTION

Senate

House

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Floor: 15/AD/2R
4/17/2008 10:31 AM

1 Senator Saunders moved the following amendment:

3 Senate Amendment (with directory and title amendments)

4 Delete line(s) 3174-3253

5 and insert:

6 Section 48. Section 377.921, Florida Statutes, is created
7 to read:

8 377.921 Qualified solar energy system program.—The
9 Legislature finds that qualified solar energy systems provide
10 fuel savings and can help protect against future electricity and
11 natural gas shortages, reduce the state's dependence on foreign
12 sources of energy, and improve environmental conditions. The
13 Legislature further finds that the deployment of qualified solar
14 energy systems advances Florida's goals of promoting energy
15 efficiency and the development of renewable energy resources.
16 Therefore, the Legislature finds that it is in the public
17 interest to encourage public utilities to develop and implement

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18 programs that promote the deployment and use of qualified solar  
19 energy systems.

20 (2) As used in this section:

21 (a) "Qualified solar energy system" means a solar thermal  
22 water heating system installed at a customer's premises under a  
23 program administered and facilitated by a public utility. In  
24 order for a system to be deemed as qualified under this section,  
25 the public utility must incur all costs of the purchase and  
26 installation of the system, whether directly or indirectly  
27 through a customer rebate.

28 (b) "Public utility" or "utility" means a utility as  
29 defined in s. 366.02(1).

30 (c) "Eligible program" means a program developed by a  
31 public utility and approved by the commission pursuant to  
32 subsection (5) under which the utility facilitates the  
33 installation of solar thermal water heating systems at a utility  
34 customer's premises.

35 (d) "Program fuel cost savings" means the total fuel cost  
36 savings that a utility is projected to achieve from all solar  
37 thermal water heating systems installed at a customer's premises  
38 over the life of the qualified solar energy system.

39 (e) "Program costs" means all costs incurred in  
40 implementing an eligible program, including, but not limited to:

41 1. In-service capital investments, including the utility's  
42 last authorized rate of return thereon; and

43 2. Operating and maintenance expense, including, but not  
44 limited to, labor, overhead, materials, advertising, marketing,  
45 customer incentives, or rebates.

46 (3) Notwithstanding any provision in chapter 366 or rule to  
47 the contrary, a public utility shall be allowed to recover



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48 through the energy conservation cost-recovery clause, either as  
49 period expenses or by capitalizing and amortizing, all prudent  
50 and reasonable program costs incurred in implementing an eligible  
51 program. With respect to any solar hot water heating system, the  
52 amortization period shall be 5 years.

53 (4) Notwithstanding any provision in chapter 366 or rule to  
54 the contrary, and in addition to recovery under subsection (3), a  
55 utility shall be allowed to recover through the fuel cost-  
56 recovery clause beginning in the year each solar thermal water  
57 heating system begins operation 50 percent of any such program  
58 fuel cost savings for five years from the installation date. The  
59 remaining 50 percent of fuel saving shall be returned to the  
60 utility's customers through the fuel cost-recovery clause.

61 (5) Notwithstanding any provision in chapter 366 or rule to  
62 the contrary, the commission shall enter an order approving a  
63 public utility's qualified solar energy system program if the  
64 utility demonstrates in a petition that:

65 (a) The qualified solar energy systems to be installed as  
66 part of the program at minimum meet applicable Solar Rating and  
67 Certification Corporation OG-300 certification requirements.

68 (b) The qualified solar energy systems are constructed and  
69 installed in conformity with the manufacturer's specifications  
70 and all applicable codes and standards.

71 (6) Within 60 days after receiving a petition to approve a  
72 qualified solar energy system program, the commission shall  
73 approve the petition or inform the utility of any deficiencies  
74 therein. If the commission informs the utility of deficiencies,  
75 the utility may correct those deficiencies and refile its  
76 petition to approve the qualified solar energy system program.

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77        (7) In order to encourage public utilities to promote the  
78 deployment and use of qualified solar energy systems, the public  
79 utility shall own the renewable attributes or benefits associated  
80 with the energy output of a qualified solar energy system  
81 installed pursuant to an eligible program, including any  
82 renewable energy credit or other instrument issued as a result of  
83 the utility's eligible program.

84        (8) This section shall sunset on June 30, 2011 unless  
85 reenacted by the Legislature. Utilities may not enroll new  
86 customers in the qualified solar energy program after June 30,  
87 2011 unless this section is reenacted.

88

89 (renumber subsequent sections)