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CHAMBER ACTION

Senate

House

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Floor: 13/AD/2R
4/17/2008 10:29 AM

1 Senator Saunders moved the following amendment:

3 Senate Amendment (with directory and title amendments)

4 Between line(s) 2126-2127

5 insert:

6 Section 31. Section 366.91, Florida Statutes, is amended to
7 read:

8 366.91 Renewable energy.--

9 (1) The Legislature finds that it is in the public interest
10 to promote the development of renewable energy resources in this
11 state. Renewable energy resources have the potential to help
12 diversify fuel types to meet Florida's growing dependency on
13 natural gas for electric production, minimize the volatility of
14 fuel costs, encourage investment within the state, improve
15 environmental conditions, and make Florida a leader in new and
16 innovative technologies.

17 (2) As used in this section, the term:



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18 (a) "Biomass" means a power source that is comprised of,
19 but not limited to, combustible residues or gases from forest
20 products manufacturing, waste, byproducts or products from
21 agricultural and orchard crops, waste and co-products from
22 livestock and poultry operations, waste and byproducts from ~~and~~
23 food processing, urban wood waste, municipal solid waste,
24 municipal liquid waste treatment operations, and landfill gas.

25 (b) "Renewable energy" means electrical energy produced
26 from a method that uses one or more of the following fuels or
27 energy sources: hydrogen produced from sources other than fossil
28 fuels, biomass, solar energy, geothermal energy, wind energy,
29 ocean energy, and hydroelectric power. The term includes the
30 alternative energy resource, waste heat, from sulfuric acid
31 manufacturing operations.

32 (c) "Customer-owned renewable generation" means an electric
33 generating system located on a customer's premises that is
34 primarily intended to offset part or all of the customer's
35 electricity requirements with renewable energy.

36 (d) "Net metering" means a metering and billing methodology
37 whereby customer-owned renewable generation is allowed to offset
38 the customer's electricity consumption on-site.

39 (3) On or before January 1, 2006, each public utility must
40 continuously offer a purchase contract to producers of renewable
41 energy. The commission shall establish requirements relating to
42 the purchase of capacity and energy by public utilities from
43 renewable energy producers and may adopt rules to administer this
44 section. The contract shall contain payment provisions for energy
45 and capacity which are based upon the utility's full avoided
46 costs, as defined in s. 366.051; however, capacity payments are
47 not required if, due to the operational characteristics of the

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48 renewable energy generator or the anticipated peak and off-peak
49 availability and capacity factor of the utility's avoided unit,
50 the producer is unlikely to provide any capacity value to the
51 utility or the electric grid during the contract term. Each
52 contract must provide a contract term of at least 10 years.
53 Prudent and reasonable costs associated with a renewable energy
54 contract shall be recovered from the ratepayers of the
55 contracting utility, without differentiation among customer
56 classes, through the appropriate cost-recovery clause mechanism
57 administered by the commission.

58 (4) On or before January 1, 2006, each municipal electric
59 utility and rural electric cooperative whose annual sales, as of
60 July 1, 1993, to retail customers were greater than 2,000
61 gigawatt hours must continuously offer a purchase contract to
62 producers of renewable energy containing payment provisions for
63 energy and capacity which are based upon the utility's or
64 cooperative's full avoided costs, as determined by the governing
65 body of the municipal utility or cooperative; however, capacity
66 payments are not required if, due to the operational
67 characteristics of the renewable energy generator or the
68 anticipated peak and off-peak availability and capacity factor of
69 the utility's avoided unit, the producer is unlikely to provide
70 any capacity value to the utility or the electric grid during the
71 contract term. Each contract must provide a contract term of at
72 least 10 years.

73 (5) On or before January 1, 2009, each public utility must
74 develop a standardized interconnection agreement and net metering
75 program for customer-owned renewable generation. The commission
76 shall establish requirements relating to the expedited
77 interconnection and net metering of customer-owned renewable



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78 generation by public utilities and may adopt rules to administer
79 this section.

80 (6) On or before July 1, 2009, each municipal electric
81 utility and each rural electric cooperative that sells
82 electricity at retail must develop a standardized interconnection
83 agreement and net metering program for customer-owned renewable
84 generation. Each governing authority shall establish
85 requirements relating to the expedited interconnection and net
86 metering of customer-owned generation. By April 1 of each year,
87 each municipal electric utility and rural electric cooperative
88 utility serving retail customers shall file a report with the
89 commission detailing customer participation in the
90 interconnection and net metering program, including but not
91 limited to the number and total capacity of interconnected
92 generating systems and the total energy net metered in the
93 previous year.

94 (7) ~~(5)~~ A contracting producer of renewable energy must pay
95 the actual costs of its interconnection with the transmission
96 grid or distribution system.

97
98 ===== T I T L E A M E N D M E N T =====

99 And the title is amended as follows:

100 Delete line(s) 182

101 and insert:

102 gas emissions; amending s. 366.91, F.S.; providing
103 definitions; requiring each public utility, municipal
104 electric utility, and rural electric cooperative to
105 develop a standardized interconnection agreement and net
106 metering program for customer-owned renewable generation;
107 provides for rulemaking and the filing of certain reports;