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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:



675048

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

Bill No. CS for CS for CS for SB 1544



675048

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



675048

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;