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1 A bill to be entitled
2 An act relating to renewable energy; creating s. 366.925,
3 F.S.; establishing the "Florida Renewable Energy Freedom
4 Act"; providing definitions; requiring electric utilities
5 to provide producers of renewable energy with
6 interconnection and metering services; specifying
7 requirements and fees for such services; requiring
8 electric utilities to purchase renewable energy at
9 specified rates; requiring the Florida Public Service
10 Commission to adopt specified rules; requiring producers
11 of renewable energy to provide the commission with certain
12 information; providing a limitation on the sale or
13 transfer of electrical energy generated by renewable
14 energy sources; requiring the commission to submit an
15 annual report to the Governor and the Legislature;
16 specifying report requirements; providing an effective
17 date.

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

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21 Section 1. Section 366.925, Florida Statutes, is created
22 to read:

23 366.925 Florida Renewable Energy Freedom Act.--

24 (1) DEFINITIONS.--As used in this section:

25 (a) "Interconnection service" means connection to an
26 electric utility's system or facilities used for the
27 transmission and distribution of electrical energy.

28 (b) "Producer" means the owner of equipment that, when

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29 installed in connection with a dwelling unit, facility, or other
30 structure, generates renewable energy as defined in s.
31 366.91(2)(d).

32 (c) "Reasonable rate" means the lowest rate needed for the
33 development of each kilowatt hour of energy generated by a
34 renewable energy source, differentiated by such factors as
35 technology type, project size, location, and resource quality,
36 plus a profit of at least 10 percent but not more than 30
37 percent.

38 (2) INTERCONNECTION SERVICE; PURCHASE OF RENEWABLE
39 ENERGY.--Notwithstanding any other provision of law:

40 (a) An electric utility serving a territory in which a
41 renewable energy producer is located shall provide a purchase
42 contract and interconnection service to a producer within 60
43 days after the request of the producer.

44 (b) Interconnection service shall comply with the
45 interconnection standards provided by the commission, at a fee
46 not to exceed the electric utility's incremental cost of
47 providing such service.

48 (c) Interconnection service shall include a separate
49 supply-oriented meter to determine the amount of energy being
50 generated by a producer, at a fee not to exceed the electrical
51 utility's incremental cost of providing such service.

52 (d) The serving electric utility shall purchase energy
53 generated by a renewable energy source as defined in s.
54 366.91(2)(d) from a producer at a reasonable rate as determined
55 by commission rule.

56 (3) RULES.--By November 1, 2009, the commission shall

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57 adopt rules as necessary to implement this section, including:

58 (a) A standard contract for a duration of at least 20
59 years to be used in purchase agreements between producers and
60 electric utilities under this section, including provisions for
61 interconnection and metering services, the rate of purchase for
62 each kilowatt hour of renewable energy generated, and a method
63 to adjust the rate for inflation.

64 (b) A differentiated schedule of reasonable rates for
65 energy generated by each renewable energy source listed in
66 366.91(2)(d).

67 (c) A reduction measure for rates paid to a producer who
68 receives federal or state subsidies, tax credits, or other
69 financial incentives.

70 (d) Eligibility criteria for producers, including, but not
71 limited to, a minimum level of renewable energy generation.

72 (e) Alternative cost-recovery mechanisms for the recovery
73 of costs incurred by electric utilities under this section.

74 (f) Standards for interconnection and metering services
75 under this section.

76 (4) DISCLOSURE.--All producers of renewable energy shall,
77 upon request, provide the commission any information that may be
78 relevant to the performance of commission duties required under
79 this section; however, this section does not permit or require
80 the disclosure of information that is confidential under state
81 or federal law.

82 (5) LIMITATION.--Electrical energy generated by renewable
83 energy sources may only be sold or otherwise transferred once by
84 a producer.

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85 (6) REPORT.--Beginning January 1, 2010, the commission
86 shall submit an annual report on the status of the market of
87 renewable energy sources, the development of electrical energy
88 production costs by such sources, an assessment of the economic
89 and environmental impacts related to the use of renewable energy
90 in the state, and any related recommendations to the Governor,
91 the President of the Senate, and the Speaker of the House of
92 Representatives.

93 Section 2. This act shall take effect July 1, 2009.