

By Senator Altman

24-01420-09

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

23 366.925 Florida Renewable Energy Freedom Act.—

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

25 (a) "Interconnection service" means connection to the
26 system or facilities used for the transmission and distribution
27 of electrical energy for general supply.

28 (b) "Producer" means the owner of equipment that, when
29 installed in connection with a dwelling unit, facility, or other

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30 structure, processes or generates renewable energy as defined in
31 s. 366.91(2)(d).

32 (c) "Reasonable rate" means the lowest rate needed for the
33 development of each kilowatt hour of energy produced 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 ENERGY.—
39 Notwithstanding any other provision of law:

40 (a) Electric utilities serving a community 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 be offered based on the
45 standards developed by the Institute of Electrical and
46 Electronic Engineers and incorporated in IEEE Standard 1547 for
47 Interconnecting Distributed Resources with Electric Power
48 Systems, as may be amended, at a fee not to exceed the electric
49 utility's incremental cost of providing such service.

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

54 (d) The serving electric utility shall purchase energy
55 generated by a renewable energy source as defined in s.
56 366.91(2)(d) from a producer at a reasonable rate as determined
57 by commission rule.

58 (3) RULES.—By November 1, 2009, the commission shall adopt

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59 rules as necessary to implement the provisions of this section,
60 including:

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

67 (b) A differentiated schedule of reasonable rates for
68 energy produced by each renewable energy source listed in s.
69 366.91(2)(d).

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

73 (d) Eligibility criteria for participating producers,
74 including, but limited to, a minimum level of renewable energy
75 generation.

76 (e) Alternative cost recovery mechanisms for the recovery
77 of costs incurred by electric utilities in implementing the
78 provisions of this section.

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

85 (5) LIMITATION.—Electrical energy produced from renewable
86 energy sources may be sold or otherwise transferred only once by
87 a producer.

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

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