

By Senator Fasano

11-01012B-10

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1 A bill to be entitled
2 An act relating to standards of electric service for
3 investor-owned utilities; creating s. 366.042, F.S.;
4 requiring the Florida Public Service Commission to
5 adopt rules establishing standards that an investor-
6 owned utility must follow in delivering reasonable and
7 reliable electric service to its retail customers;
8 requiring the commission to analyze each investor-
9 owned utility's annual distribution reliability report
10 and other sources of information; requiring that the
11 commission investigate claims of inadequate or
12 unreliable electric service; authorizing the
13 commission to impose a penalty on an investor-owned
14 utility if the commission determines that the
15 investor-owned utility does not meet the electric
16 service standards adopted by the commission; providing
17 for the penalty to apply each day that the violation
18 continues; requiring that collected penalties be
19 deposited into the General Revenue Fund and
20 appropriated to the commission for distribution to
21 affected customers as compensation for the electric
22 utility's unreliability and for compensable loss
23 incurred due to the absence of electrical service for
24 extended and repeated periods of time; providing an
25 effective date.

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

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29 Section 1. Section 366.042, Florida Statutes, is created to

11-01012B-10

20101104

30 read:

31 366.042 Standards of electric service and reliability.-

32 (1) The commission shall adopt rules establishing standards
33 that an investor-owned utility must follow if the investor-owned
34 utility is to deliver reasonable and reliable electric service
35 to its retail customers.

36 (2) In developing these rules, the commission shall
37 analyze, along with other sources of information, each investor-
38 owned utility's annual distribution reliability report for
39 information that:

40 (a) Summarizes the number of electric outage events;

41 (b) Calculates the average duration of the electric outage
42 events;

43 (c) Describes the cause of each electric outage event; and

44 (d) Calculates the utility's average service-restoration
45 time for each electric outage event.

46 (3) The commission shall investigate all claims of
47 inadequate or unreliable electric service filed by retail
48 customers to determine if the investor-owned electric utility
49 failed to meet the adopted standards.

50 (4) (a) If the commission determines that an investor-owned
51 utility does not meet the electric service and reliability
52 standards adopted by the commission, the commission may impose a
53 penalty of not more than \$5,000 for each day the violation
54 continues. The collected penalties shall be deposited into the
55 General Revenue Fund.

56 (b) The commission shall order the investor-owned electric
57 utility to compensate affected customers as compensation for the
58 electric utility's unreliability and for compensable loss

11-01012B-10

20101104__

59 incurred by the affected customers due to the absence of
60 electrical service for extended and repeated periods of time.

61 (c) Any compensation or penalties paid under this
62 subsection may not be recovered from the electric utility's
63 ratepayers.

64 Section 2. This act shall take effect July 1, 2010.