



757574

LEGISLATIVE ACTION

Senate

House

.
. .
. .
. .
. .

Floor: WD/3R

04/30/2010 10:47 AM

Senator Bennett moved the following:

Senate Amendment to Amendment (926992)

Delete lines 167 - 251

and insert:

do not exceed 2 megawatts in capacity. Costs incurred by a provider in 2010 for Florida renewable energy resources for which construction is commenced or for renewable energy purchased on or after the effective date of this act shall be counted toward and included in the calculation of the cost cap. Costs for renewable energy resources approved by the commission for cost recovery through the environmental cost-recovery clause before the effective date of this act shall not be subject to or included in the calculation of the cost cap. Any unused portion



757574

14 of the available cost cap funds in a specific year shall be
15 carried forward and added to the cost cap for the following
16 year. In addition, a utility may elect to carry forward costs
17 incurred for Florida renewable energy resources which exceed the
18 cost cap in a specific year and apply such costs to the cost cap
19 in the following year.

20 (b) If a provider pays costs for purchased power above the
21 limitations set out in s. 366.051, the seller shall surrender to
22 the provider all renewable attributes of the energy being
23 purchased by the provider.

24 (c) Revenues derived from any renewable energy credit,
25 carbon credit, or other mechanism that attributes value to the
26 production of renewable energy or reduction of carbon emissions,
27 either existing or hereafter devised, received by a provider by
28 virtue of the production or purchase of renewable energy or
29 other production of energy for which cost recovery is approved
30 shall be shared with the provider's ratepayers such that the
31 ratepayers are credited no less than 90 percent of such
32 revenues. However, through July 1, 2015, ten percent of revenues
33 derived from renewable energy credits related to non-solar
34 renewable energy purchases is to be credited to ratepayers.

35 (5) Each municipal electric utility and rural electric
36 cooperative shall develop standards for the promotion,
37 encouragement, and expansion of the use of renewable energy
38 resources and energy conservation and efficiency measures. On or
39 before April 1, 2009, and annually thereafter, each municipal
40 electric utility and electric cooperative shall submit to the
41 commission a report that identifies such standards.

42 (6) All prudently incurred costs of renewable energy shall



757574

43 be recoverable under s. 366.8255.

44 (7) A provider must acquire commission approval before the
45 construction, licensing, and operation of a facility producing
46 such resources or the purchase of capacity or energy from a
47 facility producing such resources.

48 (a) In determining whether to approve the petition, the
49 commission shall consider whether the:

50 1. Proposal for the facility requires the use of reasonable
51 and customary industry practices in the design, engineering,
52 procurement, and construction of the project in a cost-effective
53 manner appropriate to the proposed technology and location of
54 the facility.

55 2. Entity, including a provider, which would engineer,
56 design, and construct the proposed facility has the requisite
57 technical and financial qualifications, expertise, and
58 capability.

59 3. Entity, including a provider, which would operate the
60 proposed facility has the requisite technical qualifications,
61 expertise, and capability.

62 4. Projected costs for the project are less than or equal
63 to the levelized cost of electricity of comparable solar energy
64 facilities previously approved by the commission.

65 (b) For purchase of renewable energy from third-party
66 generating facilities in the state, any petition for approval of
67 a purchased power agreement that is filed with the commission
68 before April 2, 2010, and remains pending on the effective date
69 of this act shall be considered to have been filed in accordance
70 with and subject to this section.

71 (c) The commission's final order approving a facility shall



757574

72 include express authorization for annual cost recovery pursuant
73 to ss. 366.8255 and 366.92 of the costs determined under this
74 section.

75 (8) The provider shall report to the commission as part of
76 the cost-recovery proceedings the construction costs, in-service
77 costs, operating and maintenance costs, hourly energy production
78 of the renewable energy project, and any other information
79 deemed relevant by the commission.

80 (9) The commission shall allow full cost recovery over the
81 entire useful life of the Florida renewable energy resource of
82 all reasonable and prudent costs incurred by the provider
83 related to or resulting from activities under this section,
84 including, but not limited to, the following:

85