

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Grady offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 490 and 491, insert:

5 Section 6. Section 366.94, Florida Statutes, is created to
6 read:

7 366.94 Procedures for exemption from ss. 366.91 and
8 366.92.—Notwithstanding ss. 366.91 and 366.92:

9 (1) Each electric utility shall offer to each of its
10 customers the ability to elect not to participate in the
11 renewable energy programs provided in ss. 366.91 and 366.92.
12 Such election must be made in writing and delivered to the
13 utility according to the following:

14 (a) By August 1, 2010, each electric utility shall mail a
15 form to each of its customers offering the opportunity to opt

746569

Approved For Filing: 4/26/2010 8:14:59 AM

Amendment No.

16 out of participation in the renewable energy programs in ss.
17 366.91 and 366.92.

18 (b) Any customer who signs the form described in paragraph
19 (a) and returns it to the electric utility by October 1, 2010,
20 is deemed to have opted out.

21 (c) Any customer who does not return the signed form to
22 the electric utility by October 1, 2010, may opt out by
23 delivering to the electric utility a written document stating
24 that he or she wishes to opt out. Such document must be
25 delivered to the electric utility at least 1 year before the
26 date on which the opt out shall take effect.

27 (2) Retail rates for electricity shall be determined in
28 such a way that the cost of the purchase of renewable energy as
29 provided in ss. 366.91 and 366.92 shall be borne entirely by
30 those customers who have not opted out pursuant to subsection
31 (1).

32 (3) Sections 366.91 or 366.92 may not require any electric
33 utility to purchase any renewable energy beyond the amount that
34 is necessary for the utility's renewable portfolio standard as
35 defined in s. 366.92 to equal the total percentage of its
36 customers that have not opted out pursuant to subsection (1).

37
38 -----
39 **T I T L E A M E N D M E N T**

40 Remove lines 10-27 and insert:

41 the definition of the term "biomass"; deleting the
42 legislative intent provisions; deleting and revising
43 definitions; deleting provisions for the renewable

746569

Approved For Filing: 4/26/2010 8:14:59 AM

Amendment No.

44 portfolio standard and renewable energy credits; providing
45 a mechanism for providers to recover costs to produce or
46 purchase specified amounts of renewable energy through the
47 environmental cost-recovery clause under certain
48 conditions; requiring providers to include specified
49 information related to renewable energy development in a
50 certain report; authorizing a developer of solar energy
51 generation to locate a solar energy generation facility on
52 the premises of a host consumer under certain
53 circumstances; requiring the commission to adopt rules and
54 submit reports to the Legislature; establishing the
55 Agriculture and Clean Energy Economic Development Pilot
56 Project; providing that certain electric energy be
57 considered renewable energy under the pilot project;
58 creating s. 366.94, F.S.; authorizing electric utility
59 customers to elect not to participate in certain renewable
60 energy programs; providing procedures for customers to opt
61 out of participation in the renewable energy programs;
62 requiring the costs of such renewable energy programs to
63 be borne entirely through the retail rates for electricity
64 paid by customers who do not opt out of the renewable
65 energy programs; providing that electric utilities are not
66 required to purchase renewable energy beyond certain
67 limits; amending s. 403.44,

746569

Approved For Filing: 4/26/2010 8:14:59 AM

Page 3 of 3