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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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05/02/2011 12:55 PM

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Senator Bennett moved the following:

Senate Amendment (with title amendment)

Between lines 9479 and 9480

insert:

Section 73. Paragraph (e) of subsection (2) of section 366.04, Florida Statutes, is amended to read:

366.04 Jurisdiction of commission.—

(2) In the exercise of its jurisdiction, the commission shall have power over electric utilities for the following purposes:

(e) To resolve, upon petition of a utility or on its own motion, any territorial dispute involving service areas between and among rural electric cooperatives, municipal electric



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14 utilities, and other electric utilities under its jurisdiction.
15 In resolving territorial disputes, the commission may consider,
16 but not be limited to consideration of, the ability of the
17 utilities to expand services within their own capabilities and
18 the nature of the area involved, including population, the
19 degree of urbanization of the area, its proximity to other urban
20 areas, ~~and~~ the present and reasonably foreseeable future
21 requirements of the area for other utility services, and the
22 data, analysis, and evidence provided by an affected landowner.
23 Any affected landowner that has provided data, analysis, or
24 evidence for consideration by the commission in any territorial
25 dispute may file a petition with the commission pursuant to ss.
26 120.569 and 120.57 within 21 days after the decision of the
27 commission.

28
29 No provision of this chapter shall be construed or applied to
30 impede, prevent, or prohibit any municipally owned electric
31 utility system from distributing at retail electrical energy
32 within its corporate limits, as such corporate limits exist on
33 July 1, 1974; however, existing territorial agreements shall not
34 be altered or abridged hereby.

35
36 ===== T I T L E A M E N D M E N T =====

37 And the title is amended as follows:
38 Delete line 156
39 and insert:
40 made by this act; amending s. 366.04, F.S.; revising
41 the Public Service Commission's jurisdiction relating
42 to electric utilities and territorial disputes;



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43 authorizing the commission to consider data, analysis,
44 and evidence provided by an affected landowner in any
45 territorial dispute; authorizing any affected
46 landowner that has provided such data, analysis, and
47 evidence for consideration by the commission to file a
48 petition within a specified period after the
49 commission's decision; extending permits and other