

HB 899

2011

1 A bill to be entitled
2 An act relating to the City of Vero Beach, Indian River
3 County; providing that the City of Vero Beach Electric
4 Utility is a public utility for purposes of chapter 366,
5 F.S., and is subject to the jurisdiction of the Florida
6 Public Service Commission; requiring that the city set
7 rates that are fair, just, and reasonable; prescribing
8 criteria for the establishment of the revenue requirement;
9 providing that the Florida Public Service Commission has
10 the authority to enforce the provisions of this act and is
11 authorized to adopt rules; providing that the utility
12 shall not be considered a public utility and shall not be
13 required to comply with this act under certain
14 circumstances; providing an effective date.

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16 WHEREAS, it is determined by the Legislature to be in the
17 best interest of the customers that the rates of the City of
18 Vero Beach Electric Utility be fair, just, and reasonable, and

19 WHEREAS, the City of Vero Beach Electric Utility makes
20 transfers to the City of Vero Beach General Fund of
21 approximately \$5 million annually, and

22 WHEREAS, a significant number of customers of the utility
23 reside outside of the City of Vero Beach and are not represented
24 by the City of Vero Beach, NOW, THEREFORE:

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26 Be It Enacted by the Legislature of the State of Florida:
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28 Section 1. Notwithstanding sections 366.02(1) and
29 366.11(1), Florida Statutes, the City of Vero Beach Electric
30 Utility shall be considered a public utility for purposes of
31 chapter 366, Florida Statutes, and shall be subject to the
32 jurisdiction of the Florida Public Service Commission.

33 Section 2. The rates charged by the City of Vero Beach
34 shall be fair, just, and reasonable, in accordance with chapter
35 366, Florida Statutes, as determined by the Florida Public
36 Service Commission.

37 Section 3. Nothing in this act prohibits the City of Vero
38 Beach from levying a municipal utility tax on the utility
39 customers residing within the city boundaries, or from seeking a
40 county electric surcharge to be applied to customers residing
41 outside the city, if a cost differential for providing service
42 outside the city can be justified.

43 Section 4. The Florida Public Service Commission shall
44 have jurisdiction to enforce the provisions of this act and is
45 authorized to adopt rules to implement this act.

46 Section 5. The City of Vero Beach Electric Utility shall
47 not be considered a public utility as described in section 1 and
48 shall not be required to comply with the provisions of this act
49 if the City of Vero Beach Electric Utility ceases to provide
50 service for customers residing outside of the City of Vero
51 Beach.

52 Section 6. This act shall take effect July 1, 2011.