



693814

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/14/2012	.	
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The Committee on Agriculture (Montford) recommended the following:

Senate Amendment (with title amendment)

Between lines 874 and 875
insert:

Section 10. Section 366.95, Florida Statutes, is created to read:

366.95 Certified generation adjustment.—

(1) For any electrical power plant that will increase utility efficiencies or reduce fuel costs and that has been certified in a need determination pursuant to s. 403.519 and site certification pursuant to ss. 403.501-403.518, a public utility may file a request for, and the Public Service



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13 Commission shall authorize, the recovery of the nonfuel revenue
14 requirements associated with that electric power plant for the
15 first 12 months of operation based on the public utility's
16 authorized return on equity at the time of the filing or
17 commercial operation, whichever is later, through an incremental
18 adjustment to base rates. The filing may be made at any time
19 subsequent to the need determination, but no sooner than in the
20 annual fuel and capacity clause filing for the year before the
21 electric power plant is scheduled to go into commercial
22 operation, and the incremental base rate adjustment shall be
23 effective upon commercial operation, or such later date as may
24 be requested by the public utility.

25 (2) Until the actual construction costs are determined, the
26 revenue requirements calculated pursuant to subsection (1) shall
27 reflect the estimated construction costs upon which the need
28 determination for the electric power plant was based. If the
29 incremental base rate adjustment was based on a need
30 determination estimate that exceeds the actual construction
31 costs, the utility shall notify the commission and propose a
32 reduction to the incremental base rate adjustment to reflect the
33 actual construction costs when such costs have been determined.
34 An incremental base rate adjustment may not reflect any excess
35 in actual construction costs over the need determination
36 estimate, except through a proceeding pursuant to s. 366.076 or
37 a general base rate proceeding. The commission may, at its
38 discretion, conduct an expedited proceeding pursuant to s.
39 366.076, which may not be expanded or consolidated with any
40 other proceeding, to determine that the actual construction
41 costs are prudent. During the pendency of any such proceeding,



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42 the incremental base rate adjustment amounts collected by the
43 utility commencing on the date that the proceeding is initiated
44 are subject to refund.

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46 ===== T I T L E A M E N D M E N T =====

47 And the title is amended as follows:

48 Delete line 63

49 and insert:

50 charging station; providing a penalty; creating s.
51 366.95, F.S.; authorizing a public utility to file a
52 request with the Public Service Commission for the
53 recovery of nonfuel revenue requirements associated
54 with an electric power plant for a specified time of
55 operation through an incremental adjustment to base
56 rates; requiring that the public utility notify the
57 commission and propose a reduction to the incremental
58 base rate adjustment when the actual construction
59 costs have been determined; authorizing the commission
60 to conduct an expedited proceeding to determine that
61 the actual construction costs are prudent; amending s.