

By Senator Altman

16-01233-14

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1 A bill to be entitled
2 An act relating to municipal power regulation;
3 amending s. 366.02, F.S.; amending the definition of
4 "public utility" to include municipalities that
5 receive or purchase power from an entity created under
6 the Florida Interlocal Cooperation Act of 1969;
7 amending the definition of "electric utility" to
8 exempt municipalities that do not purchase or receive
9 power from an entity created under the Florida
10 Interlocal Cooperation Act of 1969; providing an
11 effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Subsections (1) and (2) of section 366.02,
16 Florida Statutes, are amended to read:

17 366.02 Definitions.—As used in this chapter:

18 (1) "Public utility" means every person, corporation,
19 partnership, association, or other legal entity and their
20 lessees, trustees, or receivers supplying electricity or gas
21 (natural, manufactured, or similar gaseous substance) to or for
22 the public within this state and includes a municipality or an
23 agency thereof that purchases or receives all or a portion of
24 its power from an entity created under the Florida Interlocal
25 Cooperation Act of 1969.; ~~but~~ The term "~~public utility~~" does not
26 include either a cooperative now or hereafter organized and
27 existing under the Rural Electric Cooperative Law of the state;
28 a municipality or any agency thereof that does not purchase or
29 receive any power from an entity created under the Florida

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30 Interlocal Cooperation Act of 1969; any dependent or independent
31 special natural gas district; any natural gas transmission
32 pipeline company making only sales or transportation delivery of
33 natural gas at wholesale and to direct industrial consumers; any
34 entity selling or arranging for sales of natural gas which
35 neither owns nor operates natural gas transmission or
36 distribution facilities within the state; or a person supplying
37 liquefied petroleum gas, in either liquid or gaseous form,
38 irrespective of the method of distribution or delivery, or
39 owning or operating facilities beyond the outlet of a meter
40 through which natural gas is supplied for compression and
41 delivery into motor vehicle fuel tanks or other transportation
42 containers, unless such person also supplies electricity or
43 manufactured or natural gas.

44 (2) "Electric utility" means any municipal electric utility
45 that does not purchase or receive any power from an entity
46 created under the Florida Interlocal Cooperation Act of 1969,
47 investor-owned electric utility, or rural electric cooperative
48 which owns, maintains, or operates an electric generation,
49 transmission, or distribution system within the state.

50 Section 2. This act shall take effect July 1, 2014.