

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Energy & Utilities
2 Subcommittee

3 Representative Santiago offered the following:

4
5 **Amendment (with directory and title amendments)**

6 Between lines 225 and 226, insert:

7 (4) For the purpose of determining rate base, the
8 commission shall not consider a utility's investment in any new
9 construction, expansion or replacement of a utility's water
10 treatment plant, wells, wastewater treatment plant or effluent
11 disposal facilities to be either prudently incurred or used and
12 useful in the public service unless the utility presents
13 competent substantial evidence establishing that:

14 (a) The utility notified each government or governmental
15 authority which owns or operates a utility system within the
16 same county or an adjoining county wherein the utility intended

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17 to construct, expand, or replace such utility property, of its
18 intent to do so;

19 (b) Interconnecting the utility's property with the utility
20 system owned or operated by such local government or
21 governmental authority in lieu of such construction, expansion,
22 or replacement by the utility was cost prohibitive, or otherwise
23 not feasible;

24 (c) The local government or governmental authority was
25 given sufficient information pertaining to the proposed new
26 construction, expansion, or replacement project and the
27 opportunity to provide a competitive bid to the utility on not
28 less than 90-days-notice for the interconnection of the
29 utility's property to the utility system operated by the local
30 government or governmental authority in lieu of such
31 construction, expansion or replacement; and

32 (d) The local government or governmental authority:

33 1. Failed to respond to the utility's notice;

34 2. Agreed with the utility that interconnection of the
35 utility's property was cost prohibitive or otherwise not
36 feasible; or

37 3. Presented a bid for interconnection which was not the
38 least cost alternative available to the utility, and was not
39 preferable to the proposed construction, expansion, or
40 replacement by the utility for public health and safety or
41 environmental reasons.

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D I R E C T O R Y A M E N D M E N T

Remove lines 108-109 and insert:

Section 4. Subsections (2), (4), and (7) of section 367.081, Florida Statutes, are amended, subsections (4), (5), (6), and (7) are renumbered as subsections (5), (6), (7), (8), and (9), and a new subsection (4) is added to said section, to read:

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

Remove line 23 and insert:

utility; requiring a utility to explore interconnection with a neighboring governmental utility prior to including in rate base its investment in any new construction, expansion, or replacement of water treatment plant, wells, wastewater treatment plant, or effluent disposal facilities; providing for the automatic increase or