

By Senator Rodriguez

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1 A bill to be entitled
2 An act relating to public utilities; amending s.
3 366.02, F.S.; exempting certain producers of renewable
4 solar-based energy from being defined as a public
5 utility; providing an effective date.
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7 Be It Enacted by the Legislature of the State of Florida:
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9 Section 1. Subsection (1) of section 366.02, Florida
10 Statutes, is amended to read:

11 366.02 Definitions.—As used in this chapter:

12 (1) "Public utility" means every person, corporation,
13 partnership, association, or other legal entity and their
14 lessees, trustees, or receivers supplying electricity or gas
15 (natural, manufactured, or similar gaseous substance) to or for
16 the public within this state; but the term "public utility" does
17 not include either a cooperative now or hereafter organized and
18 existing under the Rural Electric Cooperative Law of the state;
19 a municipality or any agency thereof; an entity that produces
20 and provides or sells energy to users located on the property of
21 a renewable energy production facility that uses a solar-based
22 source of renewable energy as defined in s. 377.803(4), provided
23 that such facility has a capacity of 2.5 megawatts or less; any
24 dependent or independent special natural gas district; any
25 natural gas transmission pipeline company making only sales or
26 transportation delivery of natural gas at wholesale and to
27 direct industrial consumers; any entity selling or arranging for
28 sales of natural gas which neither owns nor operates natural gas
29 transmission or distribution facilities within the state; or a
30 person supplying liquefied petroleum gas, in either liquid or
31 gaseous form, irrespective of the method of distribution or
32 delivery, or owning or operating facilities beyond the outlet of

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33 a meter through which natural gas is supplied for compression
34 and delivery into motor vehicle fuel tanks or other
35 transportation containers, unless such person also supplies
36 electricity or manufactured or natural gas.

37 Section 2. This act shall take effect July 1, 2017.