



616036

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/25/2018	.	
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The Committee on Communications, Energy, and Public Utilities (Simmons) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Section 366.96, Florida Statutes, is created to read:

366.96 Public utility disaster hardening.-

(1) It is the intent of the Legislature that the commission, in its storm hardening proceedings, increase its focus on the resiliency of the energy grid to reduce the



616036

11 percentage of customers without electricity during and after a
12 storm or other natural disaster and to reduce the time necessary
13 for the affected public utility to fully restore electric
14 service during such outages. Furthermore, it is the intent of
15 the Legislature that such reductions be accomplished at a cost
16 that is fair and reasonable for the state's public utility
17 customers.

18 (2) As used in this section, the term "energy grid" means a
19 public utility's interconnected generation, transmission, and
20 distribution infrastructure.

21 (3) The commission shall hold public hearings, including
22 such customer hearings in each public utility's service
23 territory as appropriate, to determine a disaster preparation
24 and energy grid improvement plan for each public utility,
25 including all necessary improvements and the time within which
26 the public utility must complete each improvement. The plan
27 implementation period may be up to 20 years, and the commission
28 must allow for the plan to be modified at least every 3 years.

29 (4) In developing the disaster preparation and energy grid
30 improvement plan, the commission must consider all of the
31 following:

32 (a) The available projections for the number and severity
33 of storms in the future and for changes in sea level, storm
34 surge, and flooding;

35 (b) The projected costs and benefits of each plan;

36 (c) Any alternatives to the traditional energy grid which
37 provide strengthening or resiliency benefits to the energy grid,
38 including smart grids, distributed generation, and microgrids;
39 and



616036

40 (d) The individual circumstances and characteristics of
41 each public utility, including:
42 1. The public utility's energy grid, taking into account
43 its history of outages, restorations, the time necessary to
44 complete each restoration, and the factors involved in
45 restoration and timing of completion;
46 2. The utility's ratepayer base;
47 3. The utility's existing cost recovery structure and
48 rates;
49 4. Any potential alternatives to the traditional energy
50 grid;
51 5. Available energy grid improvements for the utility,
52 including the benefits and costs of such improvements and the
53 impact of such improvements on rates; and
54 6. A reasonable period for the utility to implement the
55 plan.
56 (5) Upon completion of the development of a disaster
57 preparation and energy grid improvement plan for each public
58 utility, the commission must issue an order requiring the public
59 utility to implement the plan.
60 (6) During any 6-year period, a public utility may apply to
61 the commission for a single extension for one or more plan
62 deadlines specified in the order. The commission may grant the
63 extension if the public utility provides the commission with
64 sufficient evidence that an extension is in the best interest of
65 the utility's ratepayers.
66 (7) (a) On or before February 1, 2019, and for every 3 years
67 thereafter, the commission shall submit a report to the
68 President of the Senate and the Speaker of the House of



616036

69 Representatives which describes, for each public utility, the
70 commission's determination and order for that public utility
71 regarding its plan for energy grid improvement, the timetable
72 for completion of the plan, and the projected costs and benefits
73 of the plan. In the February 1, 2022, report, and in each report
74 thereafter, the commission shall report on the performance of
75 the energy grid improvements for each storm or other natural
76 disaster that have occurred since the previous report.

77 (b) The commission shall adopt rules and issue orders
78 necessary to implement this section.

79 Section 2. This act shall take effect upon becoming a law.

80

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

82 And the title is amended as follows:

83 Delete everything before the enacting clause
84 and insert:

85 A bill to be entitled

86 An act relating to the energy grid; creating s.
87 366.96, F.S.; providing legislative intent; defining
88 the term "energy grid"; requiring the Public Service
89 Commission to hold public hearings to determine a
90 disaster preparation and energy grid improvement plan
91 for each public utility; specifying the maximum
92 implementation period for such plans; requiring the
93 commission to allow such plans to be modified at
94 certain intervals; specifying considerations for
95 developing such plans; requiring the commission to
96 issue orders for the public utilities to implement
97 their plans; authorizing the commission to grant a



616036

98 single extension of plan deadlines every 6 years under
99 certain circumstances; requiring the commission to
100 submit a report to the Legislature on specified dates;
101 specifying report requirements; requiring the
102 commission to adopt certain rules and issue certain
103 orders; providing an effective date.