

By Senator Diaz

36-00754-21

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1                   A bill to be entitled  
2           An act relating to environmental compliance costs;  
3           amending s. 366.8255, F.S.; redefining the term  
4           "environmental compliance costs" to include costs or  
5           expenses prudently incurred by an electric utility in  
6           complying with specified reclaimed water reuse  
7           requirements; providing an effective date.

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

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11           Section 1. Paragraph (d) of subsection (1) of section  
12   366.8255, Florida Statutes, is amended to read:

13           366.8255 Environmental cost recovery.—

14           (1) As used in this section, the term:

15           (d) "Environmental compliance costs" includes all costs or  
16           expenses incurred by an electric utility in complying with  
17           environmental laws or regulations, including, but not limited  
18           to:

- 19           1. Inservice capital investments, including the electric  
20           utility's last authorized rate of return on equity thereon.  
21           2. Operation and maintenance expenses.  
22           3. Fuel procurement costs.  
23           4. Purchased power costs.  
24           5. Emission allowance costs.  
25           6. Direct taxes on environmental equipment.  
26           7. Costs or expenses prudently incurred by an electric  
27           utility pursuant to an agreement entered into on or after the  
28           effective date of this act and prior to October 1, 2002, between  
29           the electric utility and the Florida Department of Environmental

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30 Protection or the United States Environmental Protection Agency  
31 for the exclusive purpose of ensuring compliance with ozone  
32 ambient air quality standards by an electrical generating  
33 facility owned by the electric utility.

34 8. Costs or expenses prudently incurred for scientific  
35 research and geological assessments of carbon capture and  
36 storage conducted in this state for the purpose of reducing an  
37 electric utility's greenhouse gas emissions when such costs or  
38 expenses are incurred in joint research projects with Florida  
39 state government agencies and Florida state universities.

40 9. Costs or expenses prudently incurred by an electric  
41 utility after July 1, 2021, pursuant to an agreement between the  
42 electric utility and a wastewater utility for the exclusive  
43 purpose of the electric utility constructing and operating a  
44 wastewater reuse system that fully or partially satisfies a  
45 local government's reclaimed water reuse requirements under s.  
46 403.064 or s. 403.086, where at least 50 percent of the  
47 reclaimed water the reuse system produces is used in conjunction  
48 with the water requirements of an electrical generating facility  
49 or facilities owned by the electric utility.

50 Section 2. This act shall take effect July 1, 2021.