

By the Committee on Regulated Industries; and Senators Diaz and Taddeo

580-02310-21

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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.
8

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 governmental wastewater utility for the
43 exclusive purpose of the electric utility constructing and
44 operating a wastewater reuse system where operation of the
45 system will serve to further compliance with environmental laws
46 or regulations that apply to the electric utility and where the
47 system fully or partially satisfies a local government's
48 reclaimed water reuse requirements under s. 403.064 or s.
49 403.086. At least 50 percent of the reclaimed water the system
50 produces must be used in conjunction with the water requirements
51 of an electrical generating facility or facilities owned by the
52 electric utility in order to offset all or part of the electric
53 utility's water use authorized by permit.

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