

1 A bill to be entitled
 2 An act relating to net metering; amending s. 366.91,
 3 F.S.; revising and providing legislative findings
 4 relating to the redesign of net metering to avoid
 5 cross-subsidization of electric service costs between
 6 classes of ratepayers; requiring the Public Service
 7 Commission to propose new net metering rules that
 8 comply with specified criteria by a certain date;
 9 authorizing certain customers who own or lease
 10 renewable generation before a specified date to remain
 11 under the existing net metering rules for a specified
 12 time; providing applicability; requiring certain
 13 public utilities to provide a specified report to the
 14 commission; providing an effective date.

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

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18 Section 1. Subsections (6) through (9) of section 366.91,
 19 Florida Statutes, are renumbered as subsections (7) through
 20 (10), respectively, subsections (1) and present (7) of that
 21 section are amended, and a new subsection (6) is added to that
 22 section, to read:

23 366.91 Renewable energy.—

24 (1) The Legislature finds that:

25 (a) It is in the public interest to continue ~~promote~~ the

HB741

2022

26 | development of renewable energy resources in this state in a
27 | manner that is fair and equitable to all public utility
28 | customers. Renewable energy resources have the potential to help
29 | diversify fuel types to meet Florida's growing dependency on
30 | natural gas for electric production, minimize the volatility of
31 | fuel costs, encourage investment within the state, improve
32 | environmental conditions, and make Florida a leader in new and
33 | innovative technologies. The development and maturation of the
34 | solar energy industry, the substantial decline in the cost of
35 | solar panels, and the increase in customer-owned and leased
36 | renewable generation support the redesign of net metering by the
37 | commission.

38 | (b) Customer-owned and leased renewable generation are not
39 | available to many public utility customers who lack the
40 | financial resources to purchase or lease rooftop solar panels or
41 | who reside in multitenant buildings. The substantial growth of
42 | customer-owned and leased renewable generation has resulted in
43 | increased cross-subsidization of the full cost of electric
44 | service onto the public utility's general body of ratepayers.
45 | Therefore, the redesigned net metering rate structures required
46 | in paragraph (6)(a) must ensure that public utility customers
47 | who own or lease renewable generation pay the full cost of
48 | electric service and are not cross-subsidized by the public
49 | utility's general body of ratepayers.

50 | (6)(a) On or before January 1, 2023, the commission shall

51 propose a revised net metering rule that complies with the
52 following criteria:

53 1. The net metering rate structures and billing must
54 ensure that public utility customers owning or leasing renewable
55 generation pay the full cost of electric service and are not
56 subsidized by the public utility's general body of ratepayers.

57 2. The net metering must ensure that all energy delivered
58 by the public utility is purchased at the public utility's
59 applicable retail rate and that all energy delivered by the
60 customer-owned or leased renewable generation to the public
61 utility is credited to the customer at the public utility's full
62 avoided costs.

63 3. The net metering may include fixed charges, including
64 base facilities charges, electric grid access fees, or monthly
65 minimum bills, to help ensure that the public utility recovers
66 the fixed costs of serving customers who engage in net metering
67 and that the general body of public utility ratepayers do not
68 subsidize customer-owned or leased generation.

69 (b) Any public utility customer who owns or leases
70 renewable generation that is in service before January 1, 2023,
71 pursuant to a standard interconnection agreement offered by a
72 public utility, shall be granted 10 years to continue to use the
73 net metering rate design and rates that applied before the
74 revised net metering rule was adopted under paragraph (a). This
75 paragraph applies to customers who purchase or lease real

76 property upon which customer-owned or leased renewable
 77 generation is installed for all or part of that 10-year period.

78 (c) The commission shall require a public utility
 79 requesting a change in base rates under s. 366.06 to report to
 80 the commission the impact of net metering on the public
 81 utility's revenues and cost of service.

82 (8)-(7) Under the provisions of subsections (5) and (7)-(6),
 83 when a utility purchases power generated from biogas produced by
 84 the anaerobic digestion of agricultural waste, including food
 85 waste or other agricultural byproducts, net metering shall be
 86 available at a single metering point or as a part of conjunctive
 87 billing of multiple points for a customer at a single location,
 88 so long as the provision of such service and its associated
 89 charges, terms, and other conditions are not reasonably
 90 projected to result in higher cost electric service to the
 91 utility's general body of ratepayers or adversely affect the
 92 adequacy or reliability of electric service to all customers, as
 93 determined by the commission for public utilities, or as
 94 determined by the governing authority of the municipal electric
 95 utility or rural electric cooperative that serves at retail.

96 Section 2. This act shall take effect July 1, 2022.