

By Senator Perry

8-00869-22

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1                   A bill to be entitled  
2       An act relating to an electric vehicle transportation  
3       electrification plan; creating s. 366.945, F.S.;  
4       requiring the Public Service Commission to adopt rules  
5       for an electric vehicle transportation electrification  
6       plan that meet certain requirements; providing  
7       timeframes for the commission to propose the plan's  
8       rules and for final rule adoption; authorizing  
9       entities that provide electric vehicle charging  
10      stations to the public to intervene and participate in  
11      certain commission proceedings involving rates, terms,  
12      or conditions for offering electric vehicle charging  
13      to the public; providing construction; requiring  
14      investor-owned electric utilities in violation of  
15      certain provisions to take certain actions to come  
16      into compliance; providing an effective date.

17  
18       WHEREAS, the Legislature finds that the promotion and  
19      development of electric vehicle infrastructure in this state  
20      through competitively neutral policies for investor-owned  
21      electric utility rates, terms, and conditions for electric  
22      vehicle charging stations is in the public interest, and

23       WHEREAS, widespread deployment of electric vehicle charging  
24      stations is consistent with the public policy of this state, and

25       WHEREAS, the expanded use of electric vehicles provides  
26      this state with increased energy security and health and  
27      environmental benefits by reducing the consumption of fossil  
28      fuels and street-level air pollutants, carbon dioxide, and  
29      nitrogen oxides, and

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30 WHEREAS, electric vehicle charging station infrastructure  
31 has the potential to lessen climate impacts, expand  
32 infrastructure investment, improve environmental and economic  
33 conditions, and help make this state a leader in new and  
34 innovative technologies, NOW, THEREFORE,

35  
36 Be It Enacted by the Legislature of the State of Florida:

37  
38 Section 1. Section 366.945, Florida Statutes, is created to  
39 read:

40 366.945 Electric vehicle transportation electrification  
41 plan.—

42 (1) The commission shall adopt rules for an electric  
43 vehicle transportation electrification plan that facilitates the  
44 deployment of electric vehicle charging infrastructure in a  
45 competitively neutral manner and that includes reasonable and  
46 affordable electric rates for investor-owned electric utilities  
47 that offer electric vehicle charging to the public.

48 (a) The rules must include all of the following:

49 1. Investment in publicly available Level 2 and direct-  
50 current, fast-charging stations in a competitively neutral  
51 manner that prioritizes and encourages private investment in and  
52 private ownership and operation of electric vehicle charging  
53 infrastructure.

54 2. Policies that stimulate innovation, competition, private  
55 investment, and customer choice in electric vehicle  
56 infrastructure charging equipment and networks.

57 3. Mechanisms, including incentives, which support the  
58 efficient and cost-effective use of the electric grid in a

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59 manner that supports electric vehicle charging infrastructure.

60 4. Investment incentives that support private investment in  
61 charging equipment.

62 5. Policies that prohibit investor-owned electric utilities  
63 from using rate base investment in the ownership and operation  
64 of electric vehicle charging stations and limit public utility  
65 cost recovery to distribution-level system infrastructure on the  
66 utility side of the meter.

67 6. Stimulation of fair and reasonable electricity pricing  
68 through investor-owned electric utilities' tariff provisions  
69 which will promote the widespread offering of electric vehicle  
70 charging.

71 (b) The commission shall propose such rules by January 1,  
72 2023, with final rule adoption by January 1, 2024.

73 (2) An entity that provides electric vehicle charging  
74 stations to the public may intervene and participate in any  
75 investor-owned electric utility's ratemaking or other commission  
76 proceeding involving rates, terms, or conditions, including the  
77 rate structure paid by or proposed to be paid by customers for  
78 electric vehicle charging offered to the public.

79 (3) This subsection does not prohibit an investor-owned  
80 electric utility from providing electric vehicle charging  
81 stations directly to the public through a separate, unregulated  
82 entity on the same terms and conditions as any other provider of  
83 electric vehicle charging stations.

84 (4) If an investor-owned electric utility provides electric  
85 vehicle charging stations directly to the public in a manner  
86 that violates this section and rules adopted by the commission,  
87 within 1 year after the commission adopts rules to implement

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88 this section, any electric vehicle charging station  
89 infrastructure provided as a rate base asset must be removed  
90 from the rate base and, if the vehicle charging is continued,  
91 must be provided through a separate, unregulated corporate  
92 affiliate.

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