

By Senator Bernard

24-01236-26

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A bill to be entitled

An act relating to electric utility 10-year site plans; amending s. 186.801, F.S.; revising requirements for estimates included in the 10-year site plan; requiring the Florida Public Service Commission to issue a final order within a specified timeframe after receiving a proposed plan; authorizing the commission to reject such plan under certain circumstances; requiring electric utilities to submit a revised plan within a specified timeframe upon such rejection; requiring the commission to adopt procedures for consideration and approval of such plans; requiring the commission to hold public hearings under certain circumstances; authorizing the commission to hold a hearing under certain circumstances; requiring the commission to grant certain petitions or requests to intervene in such hearings; authorizing electric utilities to submit plans at any time at the discretion of the utility; prohibiting an electric utility from filing an application for certification under certain circumstances; revising the factors the commission must consider in its review of such plan; authorizing the commission to adopt certain rules; providing an effective date.

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

Section 1. Section 186.801, Florida Statutes, is amended to

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30 read:

31 186.801 Ten-year site plans.—

32 (1) Each electric utility shall submit to the Public  
33 Service Commission a 10-year site plan that estimates ~~which~~  
34 ~~shall estimate~~ its anticipated demand, its power-generating  
35 needs, the impact of planned demand-side management measures on  
36 such generating needs, and the general location of its proposed  
37 power plant sites.

38 (2) The 10-year plan must ~~shall~~ be reviewed and submitted  
39 not less frequently than every 2 years.

40 (3) ~~(2)~~ Within 9 months after the receipt of the proposed  
41 plan, the commission shall issue a final order approving,  
42 approving with amendments, or rejecting such ~~make a preliminary~~  
43 ~~study of such plan and classify it as "suitable" or~~  
44 ~~"unsuitable."~~ The commission may suggest alternatives to the  
45 plan.

46 (a) The commission may reject such plan if the plan does  
47 not comply with this section and commission rules.

48 (b) Following any final order rejecting a plan, an electric  
49 utility shall submit a revised plan for approval within 60 days  
50 after such order.

51 (c) The commission shall adopt procedures for consideration  
52 and approval of each electric utility's plans consistent with  
53 chapter 120. The commission shall hold a public hearing for a  
54 plan submitted by a public utility as defined in s. 366.02 and  
55 may hold a hearing upon the filing of a petition or request for  
56 hearing for a plan submitted by an electric utility.

57 Notwithstanding chapter 120 or any other law, the commission  
58 must grant a petition or request to intervene if participation

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by the party submitting such petition or request is in the public interest and will not unduly impair the efficiency or administration of the proceeding.

(4) All findings of the commission must ~~shall~~ be made available to the Department of Environmental Protection for its consideration at any subsequent electrical power plant site certification proceedings.

(5) It is recognized that 10-year site plans submitted by an electric utility are tentative information for planning purposes only and may be amended and submitted for approval at any time at the discretion of the utility ~~upon written notification to the commission~~. An electric utility may not file an A-complete application for certification of an electrical power plant site under chapter 403, when such site is not designated in the current 10-year site plan of the applicant, ~~shall constitute an amendment to the 10-year site plan.~~

(6) Before issuing its final order, the commission shall review such plan to determine whether it is reasonable and in the best interest of the utility's customers in this state. In its review ~~preliminary study of such each 10-year site plan~~, the commission shall consider ~~such plan as a planning document and shall review:~~

(a) The need, including the need as determined by the commission, for electrical power in the area to be served.

(b) The adequacy and cost-effectiveness of planned generation, transmission, and distribution resources relative to other available options.

(c) The benefits of energy resources sited within this state which reduce the state's reliance on energy and fuels

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imported from outside this state.

(d) The impact of the plan on future regulatory risks and compliance costs and the impacts of those risks and costs on the utility's customers.

(e) The adequacy of total demand-side management measures proposed by the utility to mitigate its need for new generation.

(f)~~(b)~~ The effect on fuel diversity within this ~~the~~ state.

(g)~~(e)~~ The anticipated environmental impact of each proposed electrical power plant site.

(h)~~(d)~~ Possible alternatives to the proposed plan, including alternative technologies for proposed resources.

(i)~~(e)~~ The views of appropriate local, state, and federal agencies, including the views of the appropriate water management district as to the availability of water and its recommendation as to the use by the proposed plant of salt water or fresh water for cooling purposes.

(j)~~(f)~~ The extent to which the plan is consistent with the state comprehensive plan.

(k)~~(g)~~ The plan with respect to the information of the state on energy availability and consumption.

(l)~~(h)~~ The amount of renewable energy resources the utility produces or purchases.

(m)~~(i)~~ The amount of renewable energy resources the utility plans to produce or purchase over the 10-year planning horizon and the means by which the production or purchases will be achieved.

(n)~~(j)~~ A statement describing how the production and purchase of renewable energy resources impact the utility's present and future capacity and energy needs.

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117        (7)~~(3)~~ In order to enable it to carry out its duties under  
118 this section, the commission may, after hearing, establish an  
119 administrative fee that may not ~~a study fee which shall not~~  
120 exceed \$1,000 for each proposed plan studied.

121        (8)~~(4)~~ The commission may adopt rules governing the method  
122 of submitting, processing, and approving ~~studying~~ the 10-year  
123 plans as required by this section, including the required  
124 contents of such plans and procedures for intervention and  
125 discovery in the plan review proceedings.

126        Section 2. This act shall take effect July 1, 2026.