



LEGISLATIVE ACTION

Senate . House

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04/30/2010 05:35 PM

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Senator Bennett moved the following:

Senate Amendment (with title amendment)

Between lines 251 and 252

insert:

Section 2. Subsection (4) of section 366.92, Florida Statutes, is amended to read:

366.92 Florida renewable energy policy.—

(4) The commission shall provide for full cost recovery under the environmental cost-recovery clause of all reasonable and prudent costs incurred by a provider for the production or purchase of renewable energy up to a total of 125 megawatts statewide. Such costs shall be deemed reasonable and prudent for purposes of cost recovery so long as the provider has used



14 reasonable and customary industry practices in the design,
15 procurement, and construction of the project in a cost-effective
16 manner appropriate to the location of the facility. To obtain
17 cost recovery pursuant to this section, a provider must file for
18 cost recovery no later than July 1, 2011. In order to
19 ~~demonstrate the feasibility and viability of clean energy~~
20 ~~systems, the commission shall provide for full cost recovery~~
21 ~~under the environmental cost-recovery clause of all reasonable~~
22 ~~and prudent costs incurred by a provider for renewable energy~~
23 ~~projects that are zero greenhouse gas emitting at the point of~~
24 ~~generation, up to a total of 110 megawatts statewide, and for~~
25 ~~which the provider has secured necessary land, zoning permits,~~
26 ~~and transmission rights within the state. Such costs shall be~~
27 ~~deemed reasonable and prudent for purposes of cost recovery so~~
28 ~~long as the provider has used reasonable and customary industry~~
29 ~~practices in the design, procurement, and construction of the~~
30 ~~project in a cost-effective manner appropriate to the location~~
31 ~~of the facility. The provider shall report to the commission as~~
32 ~~part of the cost-recovery proceedings the construction costs,~~
33 ~~in-service costs, operating and maintenance costs, hourly energy~~
34 ~~production of the renewable energy project, and any other~~
35 ~~information deemed relevant by the commission. Any provider~~
36 ~~constructing a clean energy facility pursuant to this section~~
37 ~~shall file for cost recovery no later than July 1, 2009.~~

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40 ===== T I T L E A M E N D M E N T =====

41 And the title is amended as follows:

42 Delete lines 2 - 36



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43 and insert:

44 An act relating to energy; creating s. 163.08, F.S.;

45 providing legislative purposes and findings and

46 intent; providing definitions; authorizing a local

47 government to levy non-ad valorem assessments to fund

48 certain improvements; authorizing a property owner to

49 apply for funding and enter into a financing agreement

50 with a local government to finance certain

51 improvements; authorizing a local government to

52 collect moneys for such purposes through non-ad

53 valorem assessments; providing collection

54 requirements; authorizing local governments to partner

55 with other local governments to provide and finance

56 certain improvements; authorizing a qualifying

57 improvement program to be administered by a for-profit

58 entity or not-for-profit organization under certain

59 circumstances; authorizing a local government to incur

60 debt payable from revenues received from the improved

61 property; providing a financing restriction for local

62 governments; requiring a financial agreement to be

63 recorded in a county's public records within 5 days

64 after execution of the agreement; specifying

65 responsibilities for local governments before entering

66 into financing agreements; requiring qualifying

67 improvements to be affixed to a building or facility

68 on the property and be performed by a properly

69 certified or registered contractor; excluding certain

70 projects from financing agreement coverage; limiting

71 the amount of the non-ad valorem assessment to a



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72 percentage of the just value of the property;
73 providing exceptions; specifying information provision
74 requirements for property owners before entering into
75 financing agreements; prohibiting acceleration of a
76 mortgage under certain circumstances; providing
77 assessment disclosure requirements; specifying
78 unenforceability of certain agreement provisions;
79 providing construction preserving a local government's
80 home rule authority; amending s. 366.92, F.S.;
81 providing for cost recovery for renewable energy;
82 providing an effective date.