

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Gibbons offered the following:

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3 **Amendment (with directory and title amendments)**

4 Between lines 224 and 225, insert:

5 (2)(3) On or before July 1, 2010 January 1, 2006, each  
6 public utility must generate at least 5 percent of its total  
7 energy production exclusively from renewable energy sources. For  
8 purposes of this subsection, the term "total energy production"  
9 means all energy produced for distribution by a public utility  
10 within 1 year. Each public utility must continuously offer a  
11 purchase contract to producers of renewable energy. The  
12 commission shall establish requirements relating to the purchase  
13 of capacity and energy by public utilities from renewable energy  
14 producers and may adopt rules to administer this section. The  
15 contract shall contain payment provisions for energy and  
16 capacity which are based upon the utility's full avoided costs,  
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17 as defined in s. 366.051; however, capacity payments are not  
18 required if, due to the operational characteristics of the  
19 renewable energy generator or the anticipated peak and off-peak  
20 availability and capacity factor of the utility's avoided unit,  
21 the producer is unlikely to provide any capacity value to the  
22 utility or the electric grid during the contract term. Each  
23 contract must provide a contract term of at least 10 years.  
24 Prudent and reasonable costs associated with a renewable energy  
25 contract shall be recovered from the ratepayers of the  
26 contracting utility, without differentiation among customer  
27 classes, through the appropriate cost-recovery clause mechanism  
28 administered by the commission.

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31 **D I R E C T O R Y A M E N D M E N T**

32 Remove lines 203-206 and insert:

33 Section 4. Subsections (2) through (8) of section 366.91,  
34 Florida Statutes, are renumbered as subsections (1) through (7),  
35 respectively, and present subsection (1), paragraph (a) of  
36 present subsection (2), and present subsection (3) of that  
37 section are amended to read:

38 -----  
39 **T I T L E A M E N D M E N T**

40 Remove line 10 and insert:

41 the definition of the term "biomass"; requiring public  
42 utilities to generate a specified percentage of their  
43 total energy production from renewable energy sources;  
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45 defining the term "total energy production"; amending s.  
46 366.92,