

By Senator Deutch

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1 A bill to be entitled

2 An act relating to renewable energy; amending s. 366.92,  
3 F.S.; expanding legislative intent relating to the state's  
4 renewable energy policy; amending ss. 377.703 and 377.803,  
5 F.S.; revising definitions of the terms "renewable energy  
6 resource" and "renewable energy" and defining the term  
7 "biomass" for purposes of those definitions; requiring the  
8 Florida Public Service Commission and the Department of  
9 Environmental Protection to submit a report relating to  
10 current renewable energy opportunities, resources, and  
11 technologies in the state; requiring the commission and  
12 the department to evaluate the effects of certain energy-  
13 generation methods; providing evaluation criteria;  
14 providing for the ranking of energy-generation methods  
15 based on the results of such evaluation; requiring the  
16 commission to develop and adopt renewable energy portfolio  
17 standards; providing an effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

20  
21 Section 1. Subsection (1) of section 366.92, Florida  
22 Statutes, is amended to read:

23 366.92 Florida renewable energy policy.--

24 (1) It is the intent of the Legislature to promote the  
25 development of renewable energy; protect the economic viability  
26 of Florida's existing renewable energy facilities; diversify the  
27 types of fuel used to generate electricity in Florida; lessen  
28 Florida's dependence on natural gas and fuel oil for the  
29 production of electricity; minimize the volatility of fuel costs;

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30 encourage investment within the state; improve environmental  
31 conditions; ~~and, at the same time,~~ minimize the costs of power  
32 supply to electric utilities and their customers; and, at the  
33 same time, be consistent with the state's greenhouse gas  
34 reduction goals and air quality standards and the guiding  
35 principles of reliability, affordability, efficiency, and  
36 diversity.

37 Section 2. Paragraph (j) of subsection (2) of section  
38 377.703, Florida Statutes, is amended to read:

39 377.703 Additional functions of the Department of  
40 Environmental Protection; energy emergency contingency plan;  
41 federal and state conservation programs.--

42 (2) DEFINITIONS.--

43 (j) "Renewable energy resource" means electrical,  
44 mechanical, or thermal energy produced from a method that uses  
45 one or more of the following fuels or energy sources: hydrogen  
46 produced from sources other than fossil fuels or nuclear energy,  
47 biomass, solar energy, geothermal energy, wind energy, ocean  
48 energy, waste heat, or hydroelectric power. As used in this  
49 paragraph, "biomass" means a power source that is comprised of  
50 combustible residues, oils, or gases from forest products  
51 manufacturing, agricultural and orchard crops, waste products  
52 from livestock and poultry operations and food processing, urban  
53 wood waste, biogenic municipal solid waste, municipal liquid  
54 waste treatment operations, and landfills ~~any method, process, or~~  
55 ~~substance the use of which does not diminish its availability or~~  
56 ~~abundance, including, but not limited to, biomass conversion,~~  
57 ~~geothermal energy, solar energy, wind energy, wood fuels derived~~  
58 ~~from waste, ocean thermal gradient power, hydroelectric power,~~

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59 | ~~and fuels derived from agricultural products.~~

60 | Section 3. Subsection (6) of section 377.803, Florida  
61 | Statutes, is amended to read:

62 | 377.803 Definitions.--As used in ss. 377.801-377.806, the  
63 | term:

64 | (6) "Renewable energy" means electrical, mechanical, or  
65 | thermal energy produced from a method that uses one or more of  
66 | the following fuels or energy sources: hydrogen produced from  
67 | sources other than fossil fuels or nuclear energy, biomass, solar  
68 | energy, geothermal energy, wind energy, ocean energy, waste heat,  
69 | or hydroelectric power. As used in this subsection, "biomass"  
70 | means a power source that is comprised of combustible residues,  
71 | oils, or gases from forest products manufacturing, agricultural  
72 | and orchard crops, waste products from livestock and poultry  
73 | operations and food processing, urban wood waste, biogenic  
74 | municipal solid waste, municipal liquid waste treatment  
75 | operations, and landfills.

76 | Section 4. (1) By January 1, 2009, the Florida Public  
77 | Service Commission and the Department of Environmental Protection  
78 | shall prepare a current and comprehensive assessment of renewable  
79 | energy opportunities and demand-side resources and technologies  
80 | in the state and submit a report to the Governor, the President  
81 | of the Senate, and the Speaker of the House of Representatives.  
82 | The report shall address existing and potential renewable  
83 | resources and technologies, economic considerations, and  
84 | environmental issues.

85 | (2) By July 1, 2009, the Florida Public Service Commission  
86 | shall evaluate each method used, or proposed to be used, to  
87 | generate electricity in the state to determine its efficacy in

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88 achieving the goals of reliability, affordability, efficiency,  
89 and diversity. This evaluation process should establish the  
90 levelized cost in cents per kilowatt hour and incremental  
91 capacity in kilowatts for each generation method.

92 (3) By July 1, 2009, the Department of Environmental  
93 Protection shall measure the environmental effects of each method  
94 used, or proposed to be used, to generate electricity in the  
95 state in order to create an emission profile and determine a  
96 greenhouse coefficient for each generation method measured in  
97 equivalent pounds of carbon dioxide emitted per megawatt hour of  
98 electricity generated.

99 (4) By July 1, 2009, the Florida Public Service Commission  
100 and the Department of Environmental Protection shall:

101 (a) Establish a ranking for all generation methods used, or  
102 proposed to be used, in the generation of electricity in the  
103 state based on the quantitative results determined by the  
104 commission under subsection (2).

105 (b) Determine how to achieve state greenhouse gas emission  
106 goals using the quantitative results determined by the department  
107 under subsection (3) within the content of the ranking  
108 established under paragraph (a). The greenhouse effect of each  
109 generation method may be calculated using greenhouse coefficients  
110 and incremental capacity data.

111 (5) By September 1, 2009, the Florida Public Service  
112 Commission shall use the rankings established under subsection  
113 (4) to develop and adopt, by rule, a renewable energy portfolio  
114 standard that will appropriately promote the use and development  
115 of renewable energy resources and technologies in the state.

116 Section 5. This act shall take effect July 1, 2008.