

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Mayfield offered the following:

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3 **Amendment (with title amendment)**

4 Remove lines 1973-2037 and insert:

5 (9) The commission is authorized to allow an investor-
6 owned electric utility an additional return on equity of up to
7 50 basis points for exceeding 20 percent of their annual load-
8 growth through energy efficiency and conservation measures. The
9 additional return on equity shall be established by the
10 commission through a limited proceeding.

11 (10)-(4) The commission shall require periodic reports from
12 each utility and shall provide the Legislature and the Governor
13 with an annual report by March 1 of the goals it has adopted and
14 its progress toward meeting those goals. The commission shall
15 also consider the performance of each utility pursuant to ss.

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16 366.80-366.85 and 403.519 when establishing rates for those
17 utilities over which the commission has ratesetting authority.

18 ~~(11)(5)~~ The commission shall require each utility to
19 offer, or to contract to offer, energy audits to its residential
20 customers. This requirement need not be uniform, but may be
21 based on such factors as level of usage, geographic location, or
22 any other reasonable criterion, so long as all eligible
23 customers are notified. The commission may extend this
24 requirement to some or all commercial customers. The commission
25 shall set the charge for audits by rule, not to exceed the
26 actual cost, and may describe by rule the general form and
27 content of an audit. In the event one utility contracts with
28 another utility to perform audits for it, the utility for which
29 the audits are performed shall pay the contracting utility the
30 reasonable cost of performing the audits. Each utility over
31 which the commission has ratesetting authority shall estimate
32 its costs and revenues for audits, conservation programs, and
33 implementation of its plan for the immediately following 6-month
34 period. Reasonable and prudent unreimbursed costs projected to
35 be incurred, or any portion of such costs, may be added to the
36 rates which would otherwise be charged by a utility upon
37 approval by the commission, provided that the commission shall
38 not allow the recovery of the cost of any company image-
39 enhancing advertising or of any advertising not directly related
40 to an approved conservation program. Following each 6-month
41 period, each utility shall report the actual results for that
42 period to the commission, and the difference, if any, between
43 actual and projected results shall be taken into account in

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44 succeeding periods. The state plan as submitted for
45 consideration under the National Energy Conservation Policy Act
46 shall not be in conflict with any state law or regulation.

47 ~~(12)(6)(a)~~ Notwithstanding the provisions of s. 377.703,
48 the commission shall be the responsible state agency for
49 performing, coordinating, implementing, or administering the
50 functions of the state plan submitted for consideration under
51 the National Energy Conservation Policy Act and any acts
52 amendatory thereof or supplemental thereto and for performing,
53 coordinating, implementing, or administering the functions of
54 any future federal program delegated to the state which relates
55 to consumption, utilization, or conservation of electricity or
56 natural gas; and the commission shall have exclusive
57 responsibility for preparing all reports, information, analyses,
58 recommendations, and materials related to consumption,
59 utilization, or conservation of electrical energy which are
60 required or authorized by s. 377.703.

61 ~~(b) The Executive Office of the Governor shall be a party~~
62 ~~in the proceedings to adopt goals and shall file with the~~
63 ~~commission comments on the proposed goals including, but not~~
64 ~~limited to:~~

65 ~~1. An evaluation of utility load forecasts, including an~~
66 ~~assessment of alternative supply and demand side resource~~
67 ~~options.~~

68 ~~2. An analysis of various policy options which can be~~
69 ~~implemented to achieve a least cost strategy.~~

70 ~~(13)(7)~~ The commission shall establish all minimum
71 requirements for energy auditors used by each utility. The
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72 commission is authorized to contract with any public agency or
73 other person to provide any training, testing, evaluation, or
74 other step necessary to fulfill the provisions of this
75 subsection.

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

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Remove line 173 and insert:

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and penalties; authorizing the commission to allow an investor-

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owned utility to earn an additional return on equity for

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exceeding energy efficiency and conservation goals; amending s.

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366.8255, F.S.; redefining the