A bill to be entitled

An act relating to clean energy; creating s. 366.9151, F.S.; providing definitions; authorizing public customers to use specified mechanisms to generate electricity using renewable energy generating systems on eligible properties; authorizing a public customer with multiple meters on multiple properties to aggregate its electricity consumption for net metering purposes; requiring third party installers to comply with certain safety and disclosure requirements; requiring electric utilities to offer public customers a method to aggregate meters after a certain date; authorizing the commission to adopt specified rules; creating s. 366.9153, F.S.; requiring electric utilities to adopt programs offering renewable energy tariffs for nonresidential customers after specified dates; requiring electric utilities to supply all or part of certain nonresidential customers' electricity requirements with renewable energy after a specified date; authorizing nonresidential customers to aggregate its electricity requirements; providing procedures to be used if an electric utility has insufficient renewable capacity within a specified period; specifying that the sales of certain electricity are not retail sales of electricity;
requiring third party sellers to comply with certain
safety and disclosure requirements; authorizing the
commission to adopt specified rules; providing an
effective date.

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

Section 1. Section 366.9151, Florida Statutes, is created
to read:

366.9151 Renewable energy for local governments, colleges,
and universities.—

(1) Definitions.—As used in this section and s. 366.9153,
the term:
(a) "College" means a Florida College System institution
as described in s. 1000.21(3).
(b) "Customer-owned renewable energy generation" means a
renewable energy generating system located on a customer's
premises that is primarily intended to offset part or all of the
customer's electricity requirements with renewable energy.
(c) "Eligible property" means any property owned, leased,
or rented by a public customer that is located:
1. Within the same county as the customer's renewable
ingenerated system; and
2. Within the same electric utility service territory as
the customer's renewable energy generating system.
(d) "Local government" means:
1. A county, municipality, school district, or other political subdivision; and
2. Any department, agency, board, bureau, district, commission, authority, or similar body of a county, municipality, school district, or other political subdivision.

(e) "Public customer" means a local government, college, or university.

(f) "Renewable energy generating system" is a system that generates electricity from renewable energy. The term "renewable energy" means renewable energy as defined in s. 366.91(2).

(g) "University" means a state university as described in s. 1000.21(6).

(2) Financing and leasing of customer-owned renewable energy generating systems.—

(a) A public customer may install, maintain, and operate or may contract with a third party to install, maintain, and operate, one or more renewable energy generating systems on any eligible property to offset the public customer's electricity requirements. For purposes of this section, electricity produced by the renewable energy generating system is deemed to be customer-owned generation, without regard to the ownership of the renewable energy source device by a contracted third party.

(b) A contracted third party may sell the electricity generated by a renewable energy generating system to a public...
customer or may guarantee the quantity of electricity to be
produced by such device under a lease or financing agreement.
Such sales or guarantees are not considered retail sales of
electricity and do not subject the public customer or contracted
third party to regulation under this chapter, unless the third
party is otherwise subject to regulation.

(c) Each third party who installs a renewable energy
generating system under this section must comply with the safety
and disclosure requirements of ss. 520.20-520.26.

(3) Meter aggregation.—

(a) In order to offset part or all of a public customer's
electricity requirements with renewable energy across multiple
facilities or properties, a public customer with multiple meters
may aggregate its electricity consumption by totaling the
consumption on any or all of the meters located on the
customer's eligible properties and offset such aggregated
consumption requirements with customer-owned renewable energy
generation under the electric utility's net metering program.

(b) On or before January 1, 2021, each electric utility
shall offer to all public customers a method to aggregate meters
consistent with its net metering program and its standardized
interconnection agreement for customer-owned renewable energy
generation.

(4) Rules.—The commission may adopt rules to administer
this section.
Section 2. Section 366.9153, Florida Statutes, is created to read:

366.9153 Renewable energy tariffs.—

(1) No later than January 1, 2023, each public utility that supplies electricity shall file with the commission a program that offers a renewable energy tariff for all nonresidential customers to purchase renewable energy from the utility to meet up to 100 percent of the customer's electricity requirements. If a public utility has an existing program in place that it believes meet this goal, the public utility may petition the commission to issue an order finding the utility in compliance with this section. The commission shall approve or reject such proposed programs within 90 days of filing.

(2) No later than July 1, 2023, each municipal electric utility and rural electric cooperative shall adopt a program offering a renewable energy tariff for all nonresidential customers to purchase renewable energy from the utility to meet up to 100 percent of the customer's electricity requirements.

(3) Beginning July 1, 2023, any nonresidential customer may request the electric utility that serves its properties to meet up to 100 percent of the customer's electricity requirements with renewable energy. Within 30 days of receiving such request, the electric utility must provide the customer in writing with terms and conditions for meeting all or part of the customer's requirements with renewable energy.
(4)(a) If the utility does not have sufficient renewable capacity available to meet the customer's requirements and cannot offer sufficient new capacity within 1 year at just and reasonable rates, the customer may contract with a third party to purchase renewable energy from one or more renewable energy source generating systems interconnected to the electric utility's distribution grid or transmission lines. For purposes of this chapter, such renewable energy generating systems are deemed to be customer-owned generation.

(b) For purposes of this chapter, the sale of electricity generated by a renewable energy generating system is not considered a retail sale of electricity and does not subject the customer or contracted third party to regulation under this chapter, unless the third party is otherwise subject to regulation.

(c) Each third party who installs a renewable energy generating system under this section must comply with the safety and disclosure requirements of ss. 520.20-520.26.

(5) The commission may adopt rules to administer this section.

Section 3. This act shall take effect July 1, 2020.